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U.S.
Mississippi
Election of

MISSISSIPPI IN 1883.

REPORT

OF THE

SPECIAL COMMITTEE

TO INQUIRE INTO THE

MISSISSIPPI ELECTION OF 1883,

WITH THE

TESTIMONY AND DOCUMENTARY EVIDENCE.

IN ONE VOLUME.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1884.

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THE MISSISSIPPI COMMITTEE.

Senator GEORGE F. HOAR (chairman) ..... Massachusetts.
Senator ANGUS CAMERON ..... Wisconsin.
Senator WILLIAM P. FRYE ..... Maine.
Senator ELI SAULSBURY ..... Delaware.
Senator BENJAMIN F. JONAS ..... Louisiana.

EXTRACTS FROM THE JOURNAL.

I.

RESOLUTION ORDERING THE INQUIRY.

BY THE SENATE OF THE UNITED STATES OF AMERICA.

IN THE SENATE OF THE UNITED STATES,
January 29, 1884.

The following preamble and resolutions, introduced by Senator Sherman on January 11, were adopted by the Senate:

Whereas among the expressed objects for which the Constitution of the United States was established were those to establish justice and insure domestic tranquillity; and

Whereas the Constitution provides for the security to all citizens of equal civil rights, and to all citizens the privileges and immunities that belong to the condition of citizenship, and that the right of citizens of the United States to vote shall not be denied by the United States, or any State, on account of race, color, or previous condition of servitude; and further provides "that no State shall deny to any person within its jurisdiction the equal protection of the laws"; and

Whereas among the privileges and immunities inherent in citizenship are the right peaceably to assemble for the consideration of questions of State and national concern, and safely to discuss the same, and the right to exercise the elective franchise in every State freely and without molestation or intimidation; and

Whereas a general election was to occur, and did occur, in the State of Virginia on the 6th day of November, 1883; and

Whereas it is alleged and currently reported in the public press that on or about the 3d day of November, 1883, at Danville, in said State, a large number of peaceable citizens of the United States and of said State were violently assailed by an organized body of men and fired upon, and several of them killed, by said armed men conspiring to affect, and with the purpose of affecting, the result of said election so about to occur, by creating, by means of such unlawful violence and homicide, a state of alarm on the part of peaceable citizens throughout said State, which should induce them to refrain from voting or to vote differently from their previous intentions at said election; and

Whereas it is alleged that all the victims of said attack were of one race and of one political party, and all their assailants of another; and

Whereas it is alleged that the authorities of said State of Virginia have not brought any of the persons connected with said alleged conspiracies, violence, and homicides before the courts of justice for examination or trial, whereby the equal rights of citizenship and the equal protection of the laws have not been secured to all the people of said State; and

Whereas a general election was to occur, and did occur, in the State of Mississippi on the 6th day of November, 1883; and

Whereas it is alleged and currently reported in the public press that prior to said election, in the county of Copiah, State of Mississippi, there was an organized movement by members of one party to prevent members of another party from voting at that election, and to prevent the free and open discussion and expression of political opinions; that this purpose was carried into execution by organized plans of terror and violence; that the means used for that purpose were by lawless and organized mobs, moving by night and by day, assaulting, and in some cases killing, lawful voters, with a view, by terror and fear of violence, to deter others from voting; that this violence was committed by one party upon the members of another party with a view to deprive the latter of their constitutional rights, and extended throughout the said county of Copiah and into portions of other counties of that State; that, as a part of this general plan and conspiracy, one J. P. Matthews, a

peaceable and law-abiding citizen of Copiah County, was warned not to vote, and upon his voting on the day of election was murdered at the place of election by a person selected for that purpose, and with the approval, express or implied, of the officers of election, and no effort was made to punish the murderers; that this killing was subsequently approved by a public meeting in said county, composed strictly of members of one party, and the following resolutions were adopted:

Whereas certain rumors are current that the relatives of the late J. P. Matthews have threatened the peace of society, in order to avenge his death, by killing Democrats and destroying their property: Now, therefore, be it

Resolved by the people of Copiah County in mass meeting assembled this day at the court-house of said county, That if any person shall be injured, or an attempt made to injure him, either in person or in property, in any manner, by the said relatives or friends of said J. P. Matthews, that we hereby declare that we will hold his said relatives and friends who participate accountable for the same, and that we will regard them as without the pale and protection of the law, and common enemies of society, and that we will visit upon them certain, swift retribution. Be it further

Resolved, That so long as the friends and relatives of the said J. P. Matthews obey the laws and become good citizens, we hereby pledge them the protection of the law.

Resolved further, That in the opinion of this meeting it is necessary for the safety of society and the welfare of all races and classes in this county that the Matthews family shall keep out of politics in Copiah County.

Resolved further, That from hereforth no man or set of men shall organize the negro race against the whites in this county and if it shall be attempted in the future, we hereby give notice that it shall be at the peril of the person or persons attempting so to do.

Resolved, That we do hereby pledge ourselves, each to the other, our lives and fortunes and our sacred honor, that we will, all and individually, from henceforth, hold ourselves in readiness to enforce the foregoing resolutions, and to meet at any time upon the call of the chairman of this meeting.

Resolved, That a committee of twenty-four from each supervisor's district be appointed by the chair to present a copy of these resolutions to the brothers and sons of the late J. P. Matthews, and that the same be published in the Copiah Signal and the Crystal Springs Meteor.

Resolved by the citizens of Copiah County in mass meeting assembled, That the honors heretofore worn—and worthily so—by beat No. 2 be, and the same are hereby, awarded to beat No. 3. Be it further

Resolved, That this resolution is by no means intended to reflect upon the past and present services of beat No. 2, but to show our appreciation of the result of the election of the ticket in beat No. 3. It is also

Resolved, That the clubs continue their organizations, and consider themselves not disbanded, subject to the call of the chairman of the Democratic executive committee.

Resolved, That the thanks of this meeting be extended to the Hazelhurst brass band for their services on this occasion.

J. L. MEADE, *Chairman.*
JESSE THOMPSON, JR.,
C. J. ALLEN,
Secretaries.

And whereas it is alleged that the authorities of the State of Mississippi have utterly failed and neglected to protect and preserve to the citizens of that State the equal enjoyment of civil and political rights, but have in some cases contributed to their overthrow, and have failed to punish or bring to trial persons alleged to be guilty of the conspiracies, violence, and homicides above stated, in disregard of the equal rights of citizenship in the equal protection of the law guaranteed to all the people of that State: Therefore,

Resolved, That the Committee on Privileges and Elections be, and it is hereby, instructed to inquire into all the circumstances of and connected with the said alleged events, and into the condition of the constitutional rights and securities before named of the people of Virginia and Mississippi, and that it report, by bill or otherwise, as soon as may be; and that it have the power to send for persons and papers, and to sit during the sittings of the Senate, and that it may employ a stenographer or stenographers.

Attest:

ANSON G. McCOOK,
Secretary.

II.

RESOLUTION AUTHORIZING APPOINTMENT OF SUBCOMMITTEES AND APPOINTMENT OF OFFICERS.

IN THE SENATE OF THE UNITED STATES,
February 4, 1884.

Resolved, That the investigation into certain alleged occurrences in the States of Virginia and Mississippi ordered by the Senate by its resolution of January 29, 1884, to be made by the Committee on Privileges and Elections, may be made by any subcommittee thereof, and that said committee or subcommittee shall be authorized to proceed to said States, or either of them, and to sit wherever it may be found necessary for the purposes of said investigation, and, if necessary, to appoint an additional clerk, and that the expenses of said investigation be paid from the appropriation "for special and select committees," upon vouchers approved by the chairman of the committee making the same; and that the committee have authority to cause its proceedings and testimony taken to be printed from time to time as it may see fit, exclusively for its use.

Attest:

ANSON G. McCOOK,
Secretary.

III.

APPOINTMENT OF THE SUBCOMMITTEE.

At a meeting of the Senate Committee on Privileges and Elections, February 5, on motion of Senator Sherman it was

Voted, That a subcommittee of five members be appointed with power to take charge of the Mississippi investigation, the chairman of the committee to be chairman of the subcommittee.

The Senators selected by the majority and minority of the committee were—

Senators Hoar (chairman), Cameron, and Frye to represent the majority.

Senators Saulsbury and Jonas to represent the minority.

IV.

APPOINTMENT OF OFFICERS.

At the first meeting of the Mississippi committee, in Washington, February 8, William E. Barrett, of Massachusetts, was appointed clerk; J. L. Andem, of the District of Columbia, stenographer. C. B. Reade, clerk to the Senate Committee on Rules, was subsequently deputed by Sergeant-at-Arms Canady as deputy sergeant-at-arms, and accompanied the committee to New Orleans in that capacity.

V.

MEETINGS OF THE COMMITTEE.

The committee met at Washington, D. C., February 8, March 18, 21; New Orleans, La., February 15, 16, 18, 19, 20, 21, 22, 23, 25, 26, 27.

VI.

PLACE OF HOLDING THE INVESTIGATION.

At the meeting of the committee in Washington, February 8, Senator Frye offered the following resolution:

Resolved, That the committee proceed to New Orleans, La., for the purpose of taking testimony.

After discussion a vote was taken. The clerk called the roll, and the result was announced: Yeas 3, nays 2, as follows:

Yeas: Senators Hoar, Cameron, and Frye.

Nays: Senators Saulsbury and Jonas.

VII.

PAYMENT OF WITNESSES WHO WERE NOT SWORN.

At the opening of the session in New Orleans of February 26 the following action was taken:

Mr. SAULSBURY. I desire to state that several witnesses who have been summoned by the minority of the committee we find upon examination are not acquainted with any facts which would throw additional light upon this investigation, and therefore, desiring to shorten the examination as much as possible, we have concluded to ask that they be discharged without testifying. The sergeant-at-arms did not feel at liberty to settle with them until he had the authority of the committee to do so. I understand they have been regularly subpœnaed and came in obedience to that subpœna. I did not examine them, because, as Mr. Sexton informs me, their testimony would be merely cumulative, and I had requested him to examine thoroughly his list and purge it from all witnesses of that character.

Mr. FRYE. Should not the record show that certain witnesses have been called and remained in attendance a certain length of time without examination, so that the reason of their names appearing in the sergeant-at-arms' account as witnesses may be shown, although their testimony is not in the record. Suppose the names of the witnesses be given to the reporter to go in the record as witnesses subpœnaed at such a time and in attendance.

Mr. SAULSBURY. I do not know that that is necessary to go into the record. I only speak of the matter so that the sergeant-at-arms may have authority to pay and discharge them.

Mr. FRYE. Why not let it go on the record that certain witnesses having been discharged without having testified, it being stated that their testimony would simply be cumulative and that their discharge would save the time of the committee, the committee holds and instructs the sergeant-at-arms that such witnesses are entitled to their witness fees, travel, and attendance from the time they appeared here in response to a summons up to the time of their discharge.

The CHAIRMAN. The sergeant-at-arms will furnish these names to the reporter and he can put them in the record.

The list referred to is as follows:

Witnesses summoned who did not testify: J. G. Hargraves, A. B. Guynes, J. M. Weeks, W. K. Cheek, Luther Chadwick, York Sellman, W. M. Higdon, W. J. Millsaps, F. J. White, Willis Barnes, H. J. Hartley, I. Forsythe, T. E. Groome, E. E. Sims, J. W. Skelton, C. A. Taliaferro, A. Mangold, Elam Robertson, John M. Lowe, G. D. Lowe, T. M. Warrell, Tom Robinson, T. E. Millsaps, R. W. Millsaps, Joseph Purser, C. M. Williamson, Jacob Hechel, R. N. Miller, and W. H. Ferguson.

VIII.

ADMISSION OF NEWSPAPER AND OTHER DOCUMENTARY EVIDENCE.

At the close of the evidence in New Orleans, February 27, Senator Saulsbury said:

I desire to put in evidence, as there has been considerable evidence

put in here taken from the papers of the State, a communication which I find in the Times-Democrat from B. F. Garrett, chairman of the Madison County committee, relating to some testimony which has been given in this case. I have not objected to the other side putting in any extract from any other paper that was appropriate.

The CHAIRMAN. We put in newspaper extracts from that and neighboring counties alleging violence at the polls.

Mr. JONAS. This is from a neighboring county—the same judicial district.

The CHAIRMAN. It is a statement of facts about a witness who has testified in the case, and is not under oath, and there is no evidence that it was written by the person it purports to have been written by.

Mr. JONAS. I will state that the superior of Mr. Ware, the United States district attorney for the State of Mississippi, Judge Lee, a very eminent Republican, was here to-day and called our attention to that letter and requested us to get it in as possibly explanatory of some matters in the case. The suggestion came entirely from a Republican source.

The CHAIRMAN. It does not seem to me a competent or proper method of establishing the facts.

Mr. SAULSBURY. I move that this communication from B. F. Garrett, chairman of the Republican executive committee, dated Canton, Miss., February 22, 1884, addressed to the editor of the Times-Democrat, relating to testimony taken before this committee, be spread on the records of this committee. I ask that it be inserted, and move that it may be.

Mr. CAMERON. It refers to the testimony of Judge Ware. I, for my part, will consent that it go in if the committee will agree that Judge Ware, by letter, may answer it.

Mr. FRYE. In reply to the request I desire to say this: I have put in all the newspaper articles, I think, myself, not one of which was not an editorial from the newspaper itself. I have not undertaken to put in a letter from anybody. Nobody knows whether Mr. Garrett wrote that letter or not, or whether he is or not chairman of the Republican committee. There was one letter in a Democratic paper I wished to put in, but I refrained from putting it in because it was a letter; that was in the Copiahian newspaper.

Mr. SAULSBURY. In reference to that I will say that I do not know Mr. Garrett, and I did not see him write this letter, but I have not the least shadow of doubt that the letter was written by Mr. Garrett, directed to the Times-Democrat of this city, and was published at his request and by his authority. While I do not know the fact, I believe it as firmly as I believe I am in this committee-room, and I think it but just that as the other side of this committee has introduced everything that it saw proper to introduce from the newspapers of the State of Mississippi, and perhaps elsewere—after they have done that I think we have a right to insert this communication, and I ask that it may be done, and if it is to be overruled I want it to be overruled on a yea-and-nay vote and go on the records of this committee.

The CHAIRMAN. Have you any other evidence to offer?

Mr. SAULSBURY. I have no further evidence.

The CHAIRMAN. The chair will direct, subject to appeal to the committee, that this paper be received by the clerk, subject to the final disposition of the committee hereafter, when we close the case. We are to hear Major Barksdale's evidence in Washington, and the committee will then determine whether they will admit it; I think probably they will.

Mr. CAMERON. I will make this motion, which I believe is in order, that the further consideration of this question be postponed until the meeting of the committee after it reaches Washington.

The clerk called the roll, and the result was announced: Yeas 3, nays 2, as follows:

Yeas: Messrs. Hoar (chairman), Cameron, and Frye.

Nays: Messrs. Saulsbury and Jonas.

The paper was handed to the clerk, with instructions to write a note to Judge Ware, calling his attention to the communication, saying to him that it has been offered in evidence before the committee, and asking him if he has any communication which he would like to make in reference to it, to be offered with it.

At the conclusion of Mr. Barksdale's evidence in Washington, March 21, Mr. Hoar said:

At New Orleans Mr. Saulsbury offered in evidence "a letter to the Times-Democrat of Wednesday the 27th instant," in regard to Judge H. R. Ware, who had been a witness before the committee, signed "B. F. Garrett, chairman Republican executive committee." The committee voted to postpone the determination of the question whether this should or should not be admitted as evidence until we met in Washington, and directed Judge Ware's attention to be called to the fact of the letter, and that the letter had been offered in evidence. The question is now before the committee.

Mr. FRYE. Has Judge Ware's attention been called to it?

The CHAIRMAN. His attention has been called to it.

Mr. FRYE. Did he make a reply?

The CHAIRMAN. He has sent a reply to it, and I propose that that letter and the reply be admitted.

Mr. SAULSBURY. I desire to say to the committee, in all candor and in all frankness, I introduced that letter because there had been various extracts from papers offered by Mr. Frye and put in without objection, and this letter appearing in the Times Democrat from the chairman of the Republican executive committee of Louisiana, and it being in response to testimony given by Mr. Ware, I offered this single extract from a paper simply because there had been other extracts placed in where I knew that those extracts were not such matters as under a proper judicial investigation of the matters committed to the charge of this committee should be offered. I offered it simply because others had gone in, and the committee declined at that time to receive it, but gave notice that the attention of Mr. Ware should be called to it, and that his reply, if he saw proper to make one, should come in.

I submit to the committee whether it was fair treatment to the minority of this committee to keep out of the records of the committee matter which had been offered in evidence until a reply to that evidence could be obtained from the other side, because while we may talk about there not being sides to this question, the whole investigation will show conclusively that every member of the committee has regarded it as a political investigation, in which were the majority of the committee on one side and the minority on the other.

The CHAIRMAN. Not a personal quarrel between Wheeler and Matthews.

Mr. SAULSBURY. As to the personal quarrel between Wheeler and Matthews I have nothing to say at present about that. I am speaking of the action of the committee towards a proposition which I made, which I think was perfectly fair and legitimate, and which ought to have been accepted in New Orleans. Now it is for the committee to

say whether they will put in the reply or not. For my part, I shall not object to anything that the committee sees proper to do. I shall let the action of the committee stand upon its record.

The CHAIRMAN. It seems to me that the majority of the committee have taken great pains in every respect to go to the very verge of their power to be fair to the minority in the investigation. We have sought to provide for their convenience; we have sought to let in anything they claimed to let in, and to let them have their own method in putting in what they, I am sorry to say, think is their side, and gave them blank subpœnas to fill out at their discretion, which never has been done before in the history of such investigations, so far as I know. It is true that some newspaper articles have been put in, but because some particular newspaper articles were put in that does not indicate that all should come in. It was competent to show in this investigation (the fact of the newspaper article itself was a fact to show) that the press of that county was urging certain action and conduct. To show whether these means were or were not political we showed the conduct of the press, the political press of the county being important. This is offered now not as a newspaper article, but as a narrative of certain facts purporting to be signed by Mr. Garrett. It does not come within the theory that the other newspaper articles went in, but still, in order to have no possible ground of complaint, it seemed to me, for one, that it was better to let it in; but if it came in, justice to the party that it was put in for the sake of attacking required us also to receive his written reply. Therefore, I am in favor myself of receiving the article and the reply, but I will submit the question to the members of the committee.

Mr. SAULSBURY. Before that is done I want to reply to Senator Hoar's statement. He asserts here that the action of the majority of the committee has been perfectly fair to the minority of the committee; that they have awarded to the minority subpœnas to summon such witnesses as they wanted. That is true. So far in the action of the committee as ample provision for the comfort of the minority of the committee is concerned I have no complaint to make, but I do say that when I offered this paper, after extracts from papers, and several different papers not published in Copiah County, not published in papers familiar with what was going on in Copiah County, mere editorials and squibs from editorials in newspapers in different localities, had gone in by the action of the majority of the committee, without objection on the other side, I did think it was a little ungracious, at least, that when I offered a single statement contained in a paper relating to what had been said before the committee it should be excluded, and that its ultimate exclusion depended upon whether the party referred to, Mr. Ware, should see proper to file his statement in reply. So you file his statement in connection with the one I had offered, and I say in all candor that is not such treatment as I think we should have.

The CHAIRMAN. But this was a personal attack on Mr. Ware, on his character.

Mr. SAULSBURY. There are other matters of complaint; for while brother Hoar has seen proper to say that the committee has been under all circumstances exceedingly fair to the minority, there is another matter of complaint. This committee took down with it the correspondent of a newspaper, who sent out to a paper in New York, and I am told in Boston, one-sided statements of testimony that was given. One of the articles reached my hands, and I called the attention of the committee to it. I thought there was a personal reflection upon myself as

a member of the committee, and I knew that there was very great injustice done to a gentleman who was there upon my invitation, for I had telegraphed to him to come down, and I was informed he would come when he was wanted. I knew that great injustice was done to him, and when I called the attention of the committee to it it was treated in a summary manner, as if it were a matter of perfect indifference to the committee. That was a matter of which I had a right to complain, and I say now that while as to the general management of the affairs of the committee I have no complaint to make, there were certain things of which I do complain, and I say it in frankness, because whatever I think I am apt to speak.

The CHAIRMAN. I will make one reply to that. This gentleman has performed his duties as secretary of the committee with great ability, good-nature, quickness, thoroughness, and propriety, and he had a perfect right in his capacity as a newspaper correspondent to give a narrative of this interesting public event. He had no right to make an attack upon any member of the committee, and he did not do any such thing. It is not in the least a reflection upon Mr. Saulsbury to say that the person who sat by him and gave certain communications to him was or was not a person of a certain character. I suppose he sits by his client when he defends criminals, and receives their advice about the conduct of the case, as every lawyer does.

I will not for a moment imply that Mr. Saulsbury does not feel all he says, but it seems to me that he is very much mistaken in feeling that there is anything personal to him in regard to the fact that one of the men who sat by Mr. Saulsbury, and who swore that he sat by Mr. Saulsbury and had been his adviser in getting this case, and addressed the committee several times, is the man who swore that if General Grant should come down to Mississippi and undertake to organize a portion of his fellow-citizens into a political party, as they had a perfect constitutional right to do, they would shoot him.

Mr. FRYE. And he is the man who wrote, "Copiah shakes hands with Yazoo."

The CHAIRMAN. He is the man in whose handwriting was "Copiah shakes hands with Yazoo," where they shot a man in the back for being a Republican leader.

Mr. SAULSBURY. I have said what I thought about the propriety of employing a man who made partial statements about the proceedings of the committee.

The CHAIRMAN. I have said a portion of mine. I will now put the question. Gentlemen in favor of admitting the letter in the Times-Democrat and Mr. Ware's reply will respond as their names are called.

Mr. SAULSBURY. I desire to say that I shall decline to vote upon the proposition.

The clerk called the roll, and the result was announced: Yeas 3, nays 0, as follows:

Yeas: Messrs. Hoar, Cameron, and Frye.

Absent: Mr. Jonas.

Not voting: Mr. Saulsbury.

REPORT.

REPORT.

Mr. HOAR, from the Committee on Privileges and Elections, submitted the following

REPORT:

The Committee on Privileges and Elections, who were directed by the Senate to inquire into certain alleged occurrences in the State of Mississippi and into the condition of the constitutional rights of the people of that State, have discharged the duty committed to them, and respectfully report the testimony they have taken and their conclusions thereon:

The committee entered upon its task with almost inexpressible repugnance. Important public duties demanded the constant presence of all its members in the Senate. An investigation of the question whether communities of our countrymen have committed crimes like those supposed in the resolution, brings with it to all of us a deep sense of personal humiliation. The American people desire, in this time of unexampled peace and prosperity, to debate and settle other questions than those merely to name which brings disgrace to the republic itself.

Nothing can be more justly odious than to use such investigations and disclosures as political instruments, unless it be to commit, profit by, or screen the crimes which are investigated. But the rights invaded are rights declared by the National Constitution, and which the National Congress is bound to secure, by appropriate legislation, against infringement or violation by any State. If the powers already conferred upon Congress by the Constitution be not ample for their protection, it will be our duty to propose to the people of the United States the granting of further powers, that the blessings of liberty and the equal protection of the laws which are the great objects of the Constitution, and the right to vote without distinction of race or color, on which the preservation of the Constitution depends, may not fail through the neglect of any State in its duty.

PROTECTION OF THE BALLOT GUARANTEED BY THE CONSTITUTION.

The proposition that the protection of the right to vote secured by the fourteenth and fifteenth amendments to the Constitution is the concern of the whole people needs no argument. The census of 1880 shows 6,632,000 colored people in the former slave States. These are counted to give those States their representation in Congress and in the Electoral College. Forty-four members of the House of Representatives and forty-four electors of President and Vice-President are given to those States by this population—a weight of representation in the House and in the Electoral College sufficient to have changed the whole

course of our history in the past, and not unlikely to determine it hereafter. Mississippi herself owes four of her seven Representatives in the House to her colored population. The States of Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Virginia have fifty Representatives, twenty-six of whom they claim only by reason of the 3,821,820 colored persons upon whom the elective franchise has been conferred.

The second section of the fourteenth article of amendment to the Constitution is as follows:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

This is not a discretionary power. It is a duty imposed upon Congress in the administration of the greatest public trust known to mankind. To the inflexible discharge of this duty every Senator and Representative is bound by his oath of office. When the right to vote at any election, whether of Representative in Congress, or Presidential elector, or of the executive and judicial officers of a State or the members of the legislature thereof is denied to any of the male citizens thereof, being twenty-one years of age and citizens of the United States, *or in any way abridged*, it becomes the duty of Congress forthwith to reduce the basis of representation in such State. The denial here contemplated is not that alone which is expressed and enacted in the constitution of the State. The Constitution does not here use the phrase denial or abridgment "by the State," as in the first section of the fourteenth and the first section of the fifteenth article. An abridgment in any way, so it be an effectual extinguishment or impairment of the right, demands the instant interposition of the national authority to prevent the wrongdoers from using and wielding for their own benefit the political power of which they have robbed their fellow-citizens.

HOW THE RIGHT OF SUFFRAGE MAY BE ABRIDGED.

This abridgment may be accomplished in many ways. It is not, of course, every temporary and unimportant interference with the act of voting by individual citizens that the Constitution contemplates, and which warrants and requires the action of Congress. It must be a permanent, effectual, unquestionable impairment of the right. Suppose that in any State, or in any district or county within a State, the white people, or any large portion of them, being a minority of the whole voting population, determine that the colored men shall not vote, or shall not vote unless they will vote with one party, or shall not vote if they choose to vote together for the same party, or shall not attend peaceable assemblages of citizens called to consult upon the common good, or shall not have the right to listen, to weigh, and be governed by arguments which are fair, or even such as their political opponents choose to deem unfair, as to their special interests. Suppose that to accomplish this end this minority arm themselves, threaten, beat, and kill influential and leading colored men, kill or attempt to kill white men who are believed to have influence with them, so that voters enough are driven from the polls to enable

this conspiring minority to appoint the officers upon whose integrity depends the honest ascertaining and declaring the results of elections in future, and thereafter these results are fraudulently so delivered as to give no effect to the votes of the disfranchised class. Suppose that by reason of this conspiracy, secret, but understood, executing its purposes with a certainty more complete and terrible than ever attended due process of law in a civil community, every person who dares to lift his voice in opposition finds his life and property insecure. Suppose that such conspiracy take possession of the jury box so that no crime committed in its interest can be indicted or punished. Suppose it elects and has under its control sheriffs and magistrates so that willful murderers who have committed their crimes in obedience to its behest are suffered to go at large, and mobs left unsubdued. Suppose it is able to decorate and reward with public honors, at public cost, criminals who do its bidding. Suppose the chief magistrate arm its members at the expense of the State. Suppose that portion of the political associates of the conspirators who do not join in the commission of these crimes content themselves with feeble whispers of pretended disapproval of the conduct of those who do, while they are ready to profit by it, to screen and defend it, and to accept the offices and political power which it enables them to usurp. It is quite immaterial whether such men join the mob or not.

THE DUTY OF CONGRESS.

When such a state of things becomes established and permanent, a serious question of Constitutional duty presents itself for the consideration of Congress: Can it in such case affect the matter that a few of the colored race are permitted to perform the idle ceremony of depositing ballots which do not affect the result? Is not the whole race disfranchised by the practical denial and entire abridgment of its right to vote?

We would deal with this question with the caution due to its gravity. The American people mean to award to every section and State and individual their fullest Constitutional rights. They will bear much, as they have already borne much, rather than resort to questionable or even to unusual remedies. But they cannot permit a minority in the States above mentioned, or in any one of them, to double its political power by fraud or force, and thereby to impose upon the whole country legislation or administration to which the majority has never given its assent. It is to be hoped that the returning conscience of Mississippi, or such preventive or remedial laws as Congress may enact, may prevent such a condition of things from becoming permanent in that State, as shall compel Congress to enter upon the discussion whether her representation in Congress must be diminished by a number proportioned to those of her legal voters whose right of suffrage is practically and effectively denied.

No election for national officers was pending in Mississippi in 1883. No national issues were involved, unless the legislature then chosen should be called upon to fill a vacancy in the Senate of the United States. But the contest was between a great national organization and its opponents. To overcome these opponents by terror and crime in one year will surely and inevitably prevent them from asserting their freedom the next year. We cannot doubt that the methods which determined the election of county officers in Copiah County in 1883 will be in full operation so far as they may be needed in determining the vote of Mississippi for Presidential electors and members of Congress in 1884.

THE WORK OF THE COMMITTEE.

In obedience to the resolution of the Senate, the committee have investigated the occurrences alleged to have taken place in Copiah County. They have been unable in the time they could properly devote to this object to gain any further evidence as to the condition of the Constitutional rights of the people of Mississippi not dwelling in Copiah than is afforded by what was proved before them of the similarity of character and opinion of the people of that county, and of the rest of the State, from numerous extracts from the press which were laid before them, from evidence taken by the Senate or House in former years, and from an unsworn narrative of events in the neighboring county of Madison, sent us by Judge Ware, assistant United States district attorney, in answer to an attack upon him contained in a newspaper, and received by the committee in deference to the desire of two of their associates.

CHARACTER OF COPIAH COUNTY.

Copiah is a county of a little less than 35 by 40 miles in extent. It contained in 1880 a total population of 27,552, of which 13,101 were whites and 14,442 colored. Its county-seat was Hazlehurst, a little town containing 463 inhabitants. It is divided for election purposes into five precincts, called beats, whose population, according to the census of 1880, was as follows:

Beat.	White.	Colored.	Indians.	Total.
1	3,414	4,104	.....	7,518
2	4,520	1,403	.....	5,523
3	1,536	2,338	8	3,882
4	1,294	2,876	1	4,171
5	2,737	3,721	.....	6,458
Total	13,101	14,442	9	27,552

The population is chiefly farmers and planters of cotton. The whites were shown by the testimony of many Democratic witnesses to stand high in character and intelligence, as compared with the people of their race throughout the State. No question was made that the colored people were quiet, orderly, industrious, and law-abiding. The superintendent of schools testified that there were sixty-five colored schools in 1883, which number increased in 1884, with an average of thirty to thirty-five scholars. He further testified that the teachers of these schools were all colored, generally, perhaps altogether, Republicans in politics, coming up to a high and strict standard of moral character and of literary attainment, and of great influence with their race.

The county had been Republican since the readmission of the State until 1875. In that year the State was carried by the Democrats by the processes which have been made familiar by the report of the special committee of the Senate who investigated the election. Since then the vote has been close. The majority of the county officers have been Democrats; but the Republicans had chosen a majority of the supervisors; a board invested with the power of assessing taxes, directing the county expenditure, and selecting grand jurors.

PREPARING FOR THE ELECTION.

November 6, 1883, an election was held for county officers, including sheriff, district attorney, supervisors, and clerk of the courts, and for

members of the State legislature. The Republicans made no nominations of their own for these offices, but all the opponents of the Democratic party united under the name of Independents, and placed in nomination a ticket composed entirely of white men, who were conceded by the Democratic witnesses before the committee to be excellent men, unexceptionable in point of character and ability. The Democratic candidate for district attorney stated in his campaign speech that "there could be no objections made against the Independent ticket, and if the county affairs fell into their hands, they could rest assured they were in safe and good hands." All were natives of the county, belonging to respectable families. As the canvass went on, it became known that some five to seven hundred white men, who had previously acted with the Democratic party, had joined the Independents, and that this was likely to render certain the defeat of the Democrats. To prevent this result, and maintain Democratic ascendency, was unquestionably the motive for the crimes which it becomes our duty to detail.

PROCEEDINGS OF THE ARMED COMPANY.

A company, consisting of about one hundred and fifty persons, was organized under the command of Erastus Wheeler, who had the title of major. These men were mounted, ninety of them armed with guns, the remainder with pistols, buckled round them, army style, or hanging on the horns of their saddles. Of this company, Mr. Barksdale, the member of Congress from that district, testified: "The procession, so far as I knew, the citizens who composed it, were among the best in the county, a good many of them planters and men of various professions, living in the country." This opinion is abundantly supported by that of many other witnesses, and controverted by none.

This company began its operations about the time when the debate closed, some fourteen days before the election. It does not appear that any Republican speech was made in the county after the Democratic "procession," to use the euphemism of their member of Congress, began to move.

Beat 3 had been a Republican stronghold. The population consisted of 2,338 colored persons and 1,536 whites. But parties in this precinct were by no means divided by a color line. A considerable number of white men, formerly Democrats, were enlisted in the Independent movement. About two weeks before the election, the armed company above named began riding about the country, taking with them a cannon. They began operations at the lower end of Beat 3, but for twelve days ranged over the county. Their operations were very largely conducted at night. They kept up a constant firing with their guns and cannon. The cannon was burst, but was replaced by another. These disturbances, which are compared by several witnesses who had been soldiers to the firing in a hotly-contested battle, were committed in the dead of night in the localities where the colored people dwelt in large numbers. They killed, wounded, whipped, and otherwise outraged a large number of persons. In two or three cases it is claimed that the person injured had a personal enemy who had joined the Democratic mob, and under the cover of their society had gratified his own hatred. In one instance and perhaps in two this may be true, but in every case proved before the committee the persons committing the crimes avowed it as their purpose to carry the election for the Democrats. In every instance the person committing the offense was a Democrat and the victim a Republican or Independent.

MURDER OF TOM WALLIS.

Between 1 and 2 o'clock of Thursday night, ten days before the election, Tom Wallis, a respectable colored man, was in bed in his own house with his wife; their baby and a little son were with them at that end of the house; two sons occupied the other part of the dwelling. He was a Republican and had taken a good deal of interest in politics. The mob broke into his house, took him from his bed, and attempted to throw a rope over his neck. As he threw up his arm to prevent them he was shot, five guns being fired, and instantly killed, falling upon the skirt of his wife's dress. One ball went through the neck of the husband and the arm of the wife. There were about twenty persons armed and mounted who came to the house. The road for 30 yards from the gate was full of armed horsemen. They left at the house a rope, and a leather strap made of a piece which looked like a gin-belt, with a handle about 18 inches long. They subsequently passed resolutions, which were sent to Mr. Erastus Matthews by five or six men "with guns at their hips," that if "Frank Thompson, Marion McCree, Joel East, or Tom Wharton," who were four of the principals in the transaction, "was injured in any way, they would hold the Matthews brothers responsible." The Matthews brothers, as will hereafter appear, were prominent Republicans. The newspapers state that Mrs. Wallis has died of her wounds since her examination by the committee.

On the Friday night before the election they came to the Isham Gilmore house again, firing off their guns about it; some of the shot struck the house. At the same time they burst open the door of Isham Gilmore, a colored man in the neighborhood. There were twenty or thirty of them. Wheeler, who was in command, took a light and said (we give Gilmore's narrative):

"Hello, Isham, come out and set down, and let us talk about politics." I wouldn't go out. The reason I wouldn't go out, I thought of old man Wallis, and thought if I got out there, while I was talking with him some of them might come and throw a rope over my head, and so I told them, "No, I didn't want to talk about politics; I had no politics to talk about." He says, "Well, by God, what is you gwine to vote?" I said, "I don't know what I'm gwine to vote." He answered me back, and says, "By God, if you are going to vote the Radical ticket you needn't come on the ground, but if you are going to vote the Democratic ticket you can come; by God, we are going to kill out the whole God damn seed and generation of Radicalism." * * * When they went out the gate that night I went out the back door, and I never went back, but strayed out and only went in the day, and lay around in the fields. * * * The day I went there, Mr. Matthews there gave me the ticket, and I simply thought to myself, now I have got the ticket in my hand, and rather than to take the ticket and go back home I am going to vote the ticket. If they don't kill me here to-day they won't see me till the thing will be done.

Gilmore voted, but he staid in the woods for three weeks. He testified that nearly the whole settlement, a large settlement of colored people, did the same.

WHIPPING OF HANDY FORTNER.

On the night that Wallis was killed, a little before 10 o'clock, the same crowd went to the house of an old man named Handy Fortner. About twenty of them took Fortner from his house three or four hundred yards to a place in the woods. They compelled two other colored men whom they found in the house to hold him on the ground while they inflicted a most brutal and cruel whipping. This was partly done with a rope and partly with a strap, probably the same that was afterward left at the scene of the murder of Wallis. He was terribly

lacerated. While they were beating him they asked him "how he was going to vote." He was a Republican, but he told them, in his terror and agony, that "he was going to vote the Democratic ticket." They told him "if he voted the Republican ticket they would blow his brains out." They also whipped the two colored men whom they found in the house, to compel them to hold Fortner, and accused them of being Republicans, and of voting with Matthews. The colored men, though in fact Republicans, promised to vote the Democratic ticket.

Some of the guns in the hands of these ruffians were new, and seemed like Army or State guns.

SHOOTING OF FRANK HAYES.

The Saturday night before the election, about fifty of the same party broke into the house of Frank Hayes, a colored Republican, where he and his wife were in bed asleep. They shot him in the leg, which was broken by the shot. His wife was also shot in the throat and through the shoulder. Hayes was badly wounded, and disabled for any work, when he appeared before the committee on the 23d of February.

BURNING OF DANIEL CRUMP'S HOUSE.

About a week before the election a party of Democrats set fire to the house of Daniel Crump. This was about 10 o'clock at night. Crump and his sons tried to extinguish the flames, but were shot at by the crowd and prevented. The house was totally destroyed. About twenty persons were said to have been there, of whom Crump recognized two, Little and Norman. His house and all his clothing and property were burned up. This was a clear, plain case of arson, which, by the law of Mississippi, is capital and not bailable. Crump made a complaint to Miller, the Democratic district attorney. They were arrested, but were allowed bail. A few nights after twenty-five men came to his place and threatened to kill Crump if he did not withdraw his complaint, which he did. They told him Matthews was dead, they thought Oliver was dead, and Mose Smith about dead. They reckoned to kill him that night, and then the main people would be dead. They visited him again the Wednesday after the election and beat his son and son-in-law, who voted the Independent ticket, saying they were going to whip every one who voted. Crump had a lawsuit pending with Little, which, in all probability, increased Little's rancor. But there can be no doubt that the crime was one of the series of outrages committed for the purpose of striking terror into the opponents of Democracy in Copiah County.

TAKING REPUBLICAN TICKETS.

Orange Catchings was an old man living in Beat 5. The Republican tickets were sent out to him on the Saturday before the election. He had given them to a neighbor named William Campbell to distribute election day. On Monday night he heard the Democratic mob shooting in his vicinity and saw them ride by "like men on dress parade." They were armed with guns. About 4 o'clock Tuesday morning they came to his house, cursed him, and threatened to shoot him, telling him if he did not produce the tickets they would kill him. Catchings's wife told them the tickets had been sent to Campbell. The crowd took Catchings with them down to Campbell's and there took the tickets and allowed him to return home. They further said, "Don't you go to the

polls. If you are going to vote the Democratic ticket, come on, and tell all the balance of the negroes if they are going to vote the Democratic ticket to come on to the polls; if not, stay away." Catchings did not vote. The other colored people in his neighborhood fled to the woods.

JACK THOMPSON WARNED TO LEAVE THE COUNTRY.

Jack Thompson was a colored man fifty years old, living in Beat 3, and owning property there. He had canvassed the county for seven weeks. He was warned by a white Democratic friend with whom he was raised, and who had known him all his life, that he had better leave the county, and by a woman who lived with a colored man who had been with the bulldozing crowd that they were going to make him vote the Democratic ticket or kill him. He saw a large number of them ride by on Sunday evening armed, about one hundred in number, some with veils over their faces. The cannon and guns were firing. He mounted his horse and left the country.

SWORN NOT TO VOTE.

At one o'clock Monday night before the election the "procession" visited the house of Benjamin Sandiford, a colored Republican, in Beat 5. His yard was filled with horses and men. They dragged him undressed from his bed into the yard, seriously injuring him by striking against the door post, and compelled him to swear that he would not go to the polls. They returned two hours later and cried "Bring in your rope and let us hang the damned son of a bitch." The negro had left his house and lay concealed in his garden, and so escaped.

VISITATION OF SOLOMON SMITH.

Solomon Smith lived in Beat 2. They came to his house Monday night, just at dawn of day. He had heard them riding round and firing all night. They rode round his house, broke down the door, went in, and asked him for the tickets. He was the Republican ticket distributer. They said, "God damn you, give up the tickets, or we will shoot you." He gave up the tickets. One of the ruffians knocked him down and beat him over the head with a large horse-pistol. They took the tickets away. He thinks they "made a clean sweep" of the houses in his neighborhood. Their horses seemed "clean rode to death." He was too badly injured to go to vote the next day.

THE "PROCESSION" AT WALLACE GILMORE'S.

About two or three o'clock on the night before the election the "procession" visited the house of Wallace Gilmore, an old colored man. They broke in his door as he lay in bed with his wife. He counted nine who came into the house, and fifteen more at the door, besides a large crowd out at the fence. They were armed with double-barreled guns and pistols. They dragged him out of the house, compelled him to get on his knees, presented pistols to his face, demanded how he was going to vote, and told him if he was going to vote the Independent ticket he had better "dig his hole and make his box before he went." They also told him Print Matthews would be killed the next day.

THOMAS SINCLAIR'S EXPERIENCE.

Thomas Sinclair, a colored man, living in Beat 3, was the Democratic candidate for secretary of state in 1869. He owns about a thousand acres of land, a steam mill, and good stock of all kinds—sheep, cows, hogs, oxen, wagons, mules, and horses. He had joined the Independent party, but left the county for fear of injury. He saw these bands riding by his door. They were all white Democrats. He says the colored people generally left their homes and fled to the woods. He would gladly sell his property for half its value and go where he could feel that he is a citizen of the country he lives in.

METHODS OF THE ARMED COMPANY.

William Jordan was a colored man living in Beat 3. About one hour before day, Sunday morning before election, the door of his house was broken open by a crowd. Six or seven presented pistols at his head. About twenty entered his house. They told him to go to the door and look; that they had 600 outside. He looked out and saw a large crowd on horseback. He tells the rest of the story as follows:

They asked me how it was with me and politics to-night. I told them I didn't know anything about politics. They asked me didn't I join a club down here at John Smith's. I told them no, I never joined a club in my life. They said they were going around to tell we black people how to vote, and they said they were not going to vote but one ticket at Tailholt, Tuesday morning, and that was the Democratic ticket, and if I thought I couldn't stomach the Democratic ticket I hadn't better come around at all; if I voted any other ticket except the Democratic ticket they were going to start Wednesday night after the election and have a regular hog-killing time; and they said they were going to take some of the leaders first. They told me to stay in my house. If I went to running about I mought get shot, and they would be back betwixt now and election to see. So I went to the woods.

Q. How long did you stay in the woods?—A. Exactly one week.

STORE SHOT INTO.

John Smith has lived in Beat 3 fifty years. Owns land, houses, and cattle. He slept on the counter in his store. Saturday or Sunday, in the night, they shot into his store. The bullets ranged along where he was in the habit of sleeping. He got news that they were going to kill him, and took to the woods, where he remained a little more than a week.

MEANING OF THE NIGHT RIDING.

Alex. Gohagen, colored, owned property in beat 3, for which he paid about ten thousand dollars. Five men came to his door Sunday night before the election. They told him they had 144 men altogether. There was a gang at the gate. He afterward heard the firing, and judged the number stated was correct. The men who came to his door went in, sat down, and asked him how politics was running in that part of the county, and told him, "All we mean is this—we mean to carry this election at all hazards. We are tired of Republican rule here and we don't intend to have any more of it." They then asked if he had heard of the killing of Tom Wallis. He went to the polls, but did not vote.

HOW COLORED MEN WERE INDUCED NOT TO VOTE.

Very early on the same Sunday night six men entered the house of Jeff Shields, who lived in Beat 3. There were about one hundred out-

side armed with guns and pistols. They told him they were round electioneering, and demanded whom he was going to vote for. One of them put a pistol to his breast and demanded that he should promise to vote the Democratic ticket, and threatened to kill him if he refused. He said "I can't do that; I never did it in my life." One of them said, "Throw that rope in here; we will hang him." They began to prepare the rope, and he finally promised that he would stay at home and not vote. Erastus Wheeler, the murderer, came onto the door-step and said, "Old man, by God, I want to know how you are going to vote." Shields replied, "I told those gentlemen; I can tell you no more." Wheeler repiled, "If you leave here Tuesday to go to Tailholt, intentionally to vote the Independent ticket, you will have somebody digging your grave, for I will put you into the earth as certain as hell." Shields thinks no colored men voted the Democratic ticket but those that were overpowered.

FORCED TO SWEAR TO VOTE THE DEMOCRATIC TICKET.

Just before midnight on Saturday they broke open the house of Napoleon Demar, a colored man. They threw a rope round his neck, struck him with a gun, and compelled him to hold up his hand and swear to vote the Democratic ticket. His house was surrounded by armed men on horseback. He voted the Democratic ticket at the election.

On Sunday night thirty-five or forty of them went to the house of Henry Edwards, a colored Republican. This was about an hour before midnight. One of them presented a pistol to his face; asked him if he was going to vote the Democratic ticket. The negro at first not replying, they threw a rope round his neck and choked him till he promised to vote the Democratic ticket. They then left him with the warning that if he voted any other way they would return Wednesday night.

OTHER ASSAULTS.

One of the party was seen on election day with blood on his shirt, which he said came from a negro named Mose Smith, from whom he had taken Republican tickets, and whom he had knocked down with a "navy six."

Shortly before the election a meeting was appointed for the organization of a colored Republican club. A party of white Democrats, including Hargrave's brother of the Democratic sheriff; Hart, who shot Burnett; Bailey and Morrison, two Democratic lawyers, and others, rode over, broke up the meeting, and compelled Oliver, who was to speak, to ride before them back to Hazlehurst. The church was burned the following night. Oliver fled to the woods, where he lay several weeks, only returning after getting a promise of protection from Meade, the chairman of the Democratic executive committee.

David Bell was chairman of the Republican executive committee, and inspector at the polls at Gallman precinct. The Monday night before the election some fifteen or twenty men broke into his house. He made his escape in his night-clothes with one severe blow. He supported the Independent ticket, except district attorney, for which office he supported Miller, the Democrat. Miller obtained for him the place of messenger at the State-house. He refused to give the committee the names of the persons who drove him from his house.

THE BAND AT AINSWORTH'S STORE.

J. W. Bondurant is an active Republican, a white man, dwelling in Beat 3. On Friday night before the election he saw this armed and mounted band, about 150 in number, at Ainsworth's Store, a neighborhood where many colored people live. The mob shot off their pistols and cannon, and "hollered and whooped and yelled around." Ormond had made a Republican speech, and it was reported that they were trying to get hold of him. Bondurant, and Ormond, and Erastus Matthews, a brother of Print Matthews, who was afterward murdered, went up to Erastus Matthews's store. The Democratic band came round the store shouting, "Somebody had better get away from here." They turned their cannon toward the store and shot it, one of them crying, "Put a log-chain in it and shoot the damn thing." Wheeler was in command. They rode away and rode back and fired their guns into the store, first two pistols or guns, and then a continual firing. Two balls passed between Erastus Matthews and Bondurant, who were about a foot apart. There were also cries, "Bring them out and swing them up to a limb." This was between 9 and 10 o'clock Friday night before the election.

The next Monday Bondurant saw a young man named Higdon, whom he knew, who belonged to the company, and told him of the alarm felt by his sisters and other female relatives in his house. The reply was that "no Democratic women were scared." Dr. Jones asked young Higdon what his father thought of it. He replied, "He told me to go ahead and carry the election."

TACTICS AT POLITICAL MEETINGS.

It is impracticable to relate with full detail the greater part of the outrages. Burnet, the chairman of the Independent executive committee, was advertised to speak at White Oak Church. When he got there he found Hargraves, the Democratic sheriff, Meade, the chairman of the Democratic executive committee, and Dodds, a prominent Democratic lawyer, and Fulgum, Democratic candidate for supervisor in Beat 4. The Democrats came in whooping and yelling in crowds. Fulgum accosted Burnet and told him, "We are having peace and quiet down here, and we don't want any speaking." Burnet replied, "Mr. Fulgum, I want you to understand that I didn't come here to break up your peace and quiet; I did not come here to make any incendiary speeches or anything of that kind, but I came here to exercise a right that is guaranteed by the Constitution." "Well," he said, "I have come to you to tell you that we don't want any speaking, and you had better not speak." Burnet replied, "I came here to speak, and I am going to speak, and you men here can murder me if you feel so disposed; but I will guarantee to you one thing, that I am going to kill some of you whenever you attempt to do it; I am going to speak right here on this ground. It is my meeting; you were not invited here, and you are trying to intimidate me and keep me from speaking." The ruffians seem to have been somewhat daunted, but demanded a division of time, to which Burnet consented. But, in violation of the agreement, Meade made a violent and abusive speech after the close of the meeting.

The meeting of the Independent executive committee, held at Hazlehurst the day before election, was broken up by the approach of the armed mob. Enochs, the Independent candidate for chancery clerk, was advised by a Democratic friend to leave town the day before election, which he did.

ESCAPE OF INDEPENDENT LEADERS.

Joseph P. Jones, the president of the board of supervisors, who had lived in the county from infancy, was warned that three men had been elected to kill him on the first opportunity. On Tuesday evening, about two weeks before the election, he rode up to a place by the road-side where about forty Democrats were in consultation. A proposition was made to take him off his horse and hang him, but the majority, fortunately, were against it. After the election forty or fifty men went to his house armed, for the purpose of hanging him, but he had received warning and made his escape from the county.

At a political meeting held some time before election, near Erastus Matthews's store, Charles Allen, then and now clerk of the Democratic executive committee, moved that they "go into Matthews's store and buy a rope and take Bufkin out and hang him." Bufkin was an influential Independent; served in the Confederate army; had been treasurer of the county, and was then supervisor in Beat 3.

PURPOSE AND RESULT OF THESE OFFENSES.

As a result of all these proceedings the Republican meetings ceased a fortnight before the election. There was a reign of terror all through the county. The negroes fled to the woods. There was no desire to conceal the purpose of these crimes by the men who committed them. Williamson, the mayor of Hazlehurst, a Democrat, testified that their purpose was to carry the election.

Bufkin, a Democrat, testified that he asked Higdon, one of the leaders, if they were going to kill anybody, and he said yes. As he passed a mounted crowd, Womack, a Democrat, asked him if he didn't know what was up; said they were going to clean out Beat 3; going to clean it out by Monday night; going to be ready by Tuesday morning to carry their beat.

A Democratic newspaper said: "The Crystal Springs cannon is doing good work for us in Beat 3."

The Republicans sat in their houses every night expecting to be taken out and killed. The crowd were heard to say they would carry the election or kill every Republican in Beat 3.

Wheeler made several speeches. In one he said they had spent a good deal of time trying to persuade the negro to vote their way, and now they had set out to undertake to make him. In another he said:

> They were out electioneering; that they didn't expect to coax these colored people any longer to vote; they expected them to vote the Democratic ticket, and if they did not, he would kill them outright; that he had pulled several of them out and made them say they would do it, and that that election had to be carried at all hazards.

The audience "cheered him terribly." At the same or another speech he said, "They were going to carry Beat 3. If they could not persuade the negroes, they were going to kill out the leaders."

A conversation was overheard between Thompson and Beacham, two leading Democrats, shortly before election. One said to the other, "We must carry this election at all hazards, and the only way to do it is to kill the ringleaders." The other replied, "Yes, and the quicker it is done the better."

The Democratic newspapers seem to have carefully suppressed any mention of the crimes which would call attention from the rest of the

country. The Copiah Signal, edited by Meade, chairman of the Democratic county committee, said on the 18th October—

The Independents out in Beat 3 imagine they are entitled to full possession of the affairs in that locality, but they are laboring under a grave mistake. The Democrats are not going to be ruled or dictated to by them any longer. The negroes had as well understand this now. If they will not vote with the Democrats it would be best for them and the country that they refuse to participate in the election. The weather might be warm that day, and they might possibly get sunstruck.

THE MURDER OF J. P. MATTHEWS.

But the most conspicuous crime is yet to be reported. J. P. Matthews was a merchant about forty-five or six years of age, of great capacity and energy and of large property. He and his wife belonged to old and respectable Mississippi families. He was a native of Copiah County, as was his father before him. He had been a Union man through the war. He had two sons in college and two daughters aged about nineteen and sixteen years. The wife and children all testified before the committee. It would be difficult to find anywhere a family whose impression as they appeared before the committee could be more attractive. There is no member of the Senate who might not be proud to introduce anywhere as his own the four children who came to tell us the story of the murder of their father for no other offense but that of being a Republican.

MATTHEWS' CHARACTER.

Mr. Matthews was one of the wealthiest and most successful business men in Copiah County. His dealings were largely with Democrats. He had been sheriff of the county six years by appointment from the governor and once or twice by popular election. He was alderman of the city of Hazlehurst year before last. He was extremely public-spirited, taking a great interest in schools and a liberal benefactor to churches. Persons in trouble and distress were wont to resort to him for sympathy and aid. The man who killed him was his debtor, and had been hospitably entertained beneath his roof a fortnight before the murder. There never was a charge against him of dishonorable conduct, or of an offense against the law. He was extremely hospitable, entertaining much company. He had more influence with both whites and blacks than any other man in the county. Many Democrats would vote for him who would vote for no other Republican. Wheeler, who killed him, had solicited his support for the office of mayor, for which he proposed to be a candidate, and had said, "I had rather vote for him than for any man that is running for office, from the simple fact that I never went to him in my life to get an accommodation that I didn't get it." His wife said, "He always helped anybody who was in distress, no matter who it was. They never came to him and went off without anything." Mr. Millsaps, a Democratic clergyman who had known Matthews since he was a boy and to whom he went to school, testified:

He was a very pleasant, peaceable, quiet, good man, very charitable, generous, and social in his disposition. I can say generally that he was as good a man as was in Hazlehurst, leaving out all idea of religion.

Mitchell, editor of the Copiah Signal, the Democratic paper, testified:

J. P. Matthews, personally, was a very clever, social man, but the people there regarded him as an agitator.

Judge Bridewell, an intelligent and able lawyer, who had been an officer on General Hardee's staff, testified:

I can express his character in three words: He was a man who had the courage of his convictions. He was perfectly honest. I never heard his integrity called in question. He was a very generous man. He possessed beyond contradiction the qualities which are described by the word "manly."

Williamson, the mayor of Hazlehurst, a Democrat, testified:

He was a man who was regarded as a very clever man, personally and socially. He was generous; a man who had a good many friends belonging to the different parties in the county. Outside of his politics Mr. Matthews was very well liked. Of course they didn't like his politics.

He was of small stature; he weighed only one hundred and thirty pounds, and was quite lame.

There was a little evidence from Mr. Matthews's political opponents that he was regarded as overbearing and violent in speech and had made threats of violence. There was no evidence to sustain this charge other than mere hearsay, and very little of that, except the statement from two or three witnesses that Matthews, in expectation of being killed on account of his political opinions, had declared he would not die unavenged, and had instructed his family to hold leading Democrats responsible if he were murdered. If there be any truth in these statements we believe them greatly exaggerated. Whether exaggerated or not, few persons who consider the provocation will be disposed to blame him severely.

DETERMINATION TO MURDER MATTHEWS UNLESS HE KEPT OUT OF POLITICS.

The Democratic minority of Copiah County regarded Mr. Matthews as the leader of their opponents and the great obstacle to their taking possession of the offices in spite of the will of the majority. They determined to kill him unless he would abandon politics, and so to strike terror into his supporters.

As the election approached this purpose became well known. The conversation between two active Democrats, to the effect that the leaders of the Republicans must be killed, has been already related. The night before the election, Woods, the Democratic candidate for coroner and ranger, said that Matthews would be killed. Hartley, one of the Democratic procession, said, after the death of Matthews, that he knew he was to be killed on that day for a week beforehand. At the polls at Tailholt, early in the morning of election, in a crowd of Democrats, who were swearing and firing their pistols, one was heard to say:

Oh, yes, by God, we will get some of them to-day. We would have got Print Matthews yesterday, God damn him, if he hadn't crawled into his hole.

The armed crowd who broke into Wallace Gilmore's house in Beat 3 told him they were going to kill Print Matthews to-morrow. William P. Ware, a highly respectable Democratic merchant, testified that he heard before the election that the crowd had passed a resolution to kill Matthews, and that the sheriff had been notified and had said it was out of his power to stop it. Ware warned Matthews, who told him the sheriff had promised him protection if he would stay in town. Williamson, the Democratic mayor, heard Matthews say he expected to be killed. Myers, the Democratic secretary of state, met young Matthews the day of the murder, as he was taking the train at Oxford. He asked Matthews what he was going home for; and being told, said—

He knew it would be done, though he hadn't heard of it; he knew it would be done that day.

THE ARMED BAND AT HAZLEHURST.

The armed band we have described came into Hazlehurst with their guns and cannon on Monday, the day before election. The statement that they passed a resolution to kill Matthews before they entered the town rests upon hearsay only. But as they approached the town one of them was heard to say, as he rode along the line, "If I can get ten men to go with me we will wind matters up." The reply was, "You can get as many backers as you want." After they disbanded in the evening they were heard cursing one another for cowardice, and saying "We knew you would not do it after you promised." Both these declarations probably related to the purpose to kill Matthews that day. When they were within a short distance of the town a colored man came to Matthews, who was in his house, and told him he had just overheard a plot between Meade, the chairman of the Democratic committee, and several others, to deputize Matthews to quell the mob, and to have it arranged that he should be killed on his way to meet them. A few minutes after this notice, Sheriff Hargraves and Meade arrived at the house. Hargraves said:

He had tried to get somebody to go out and make the arrests, and that he would deputize him to go out and arrest the mob; he was an old sheriff, and a suitable person.

MATTHEWS WARNED NOT TO VOTE.

Matthews had received three letters, one signed "150," threatening his life. He told Hargraves, pointing to Meade, that not half an hour before he had been informed that Meade and others had made a plot to assassinate him. If they were going to murder him they might just as well come there and murder him as to get him off there and assassinate him. Matthews had a daughter sick in his house. He had previously demanded protection from the sheriff and from the city marshal. The city marshal had reported this request to Meade, who had said he believed there was no danger, and had called at Matthews's store to assure him he would aid in protecting his family. Matthews's brother said they would protect themselves. Meade told him he "would play hell at that." As the crowd came into town Meade went out and met them and guided them away from Matthews's house, telling them of the pledge he had made in their behalf. They went to the court-house and were addressed, as they sat on their horses, by Mr. Barksdale, the Democratic member of Congress for that district. There is a conflict of evidence as to his speech, and we content ourselves with referring to his own testimony, which will be found exceedingly instructive. After the speech they passed directly by Matthews's house, saying as they passed "Somebody had better get away from here." After passing the house they halted and passed the following resolution, which was handed by Meade to one McLemore and by him brought to Matthews's house:

Whereas it is thought that the public interest will be subserved by Print Matthews absenting himself from the polls on election: Therefore,

Be it resolved, That Print Matthews be ordered to keep within his own inclosure to-morrow.

Adopted by citizens of Copiah County, this the 5th day of November, 1883.

Matthews replied:

This is a very strange proceeding in a republican government. I think I have as much right to vote as any one of you. I have never done any of you any harm. I have tried to be useful to society in every way that I could. Now, John, *you have got it in your power to murder me, I admit. But I am going to vote to-morrow, unless you do kill me.*

This message was delivered to Matthews in his own house in the presence of his wife and daughter.

MATTHEWS MURDERED.

The hour of his doom approached. After breakfast, not far from nine in the morning, the election officers opened the polls just across the street from his house. By the custom of Mississippi no persons are admitted to remain in the room where the election is held but three inspectors, the clerk, and a challenger representing each party. Into their presence the voters are admitted, who deposit their ballots and depart. A double-barreled shotgun had been secretly conveyed beforehand into the room and concealed in a wood-box. There were some Democrats with shotguns, friends of Wheeler, at the door. Wheeler had been constituted the Democratic challenger. Matthews was selected by the Republicans present when the polls opened to act as their representative. He said he had to go home, that his daughter was sick, but he would vote before he went. Wheeler and he sat down together on a bench and talked pleasantly in an ordinary tone. What they said was not overheard. But Wheeler himself afterward said that he said to Matthews, "Print, I would not vote to-day if I were you." Matthews went to the table and handed his vote, open, to the election officer. The officer handed it back to him and asked him to fold it. He took the ballot in both hands, when Wheeler, who stood at a distance of 18 feet, shot him with both barrels in the breast. Twenty-four buckshot lodged in him, one charge just below the throat, the other between the breasts. He fell instantly dead to the floor, an American citizen, on his native soil, within earshot of his home, in the act of casting his ballot. A man braver or kinder never consecrated battle-field with his blood.

Wheeler's son-in-law and other young men with arms instantly pressed into the polling room, by the back door, through which the voters were to go out. The front door was at once locked.

Matthews's daughter Mary, a girl of nineteen, heard the sound of the gun as she sat on her father's porch. She says in her testimony:

> I did not know he had gone until I went through the house to look for him, and I went back and asked ma if he had gone; she said she reckoned so. I looked all through the house, and could not see him anywhere, and then I went out on the front porch and sat down, and directly I heard a gun fire, and I knew what it was as soon as I heard it. I told ma I heard the gun, and I knew what they had done; and I went up town where he was, and they had the front door locked. Mr. Coggswell, one of the inspectors, was on the outside, with the door locked. He told me I could not come in there, and I told him I was coming in any way. He said I had no business in there, and could not come in. I told him I knew pa was in there, and that they had murdered him, and that I was going in. Mr. Groome came along and caught hold of me, and carried me half way to the store, and I turned round and went back, and Mr. Coggswell told me he thought I had better go home, and stay there. I told him I didn't care what he thought, that I was going in there; that it was none of his business. The door was still locked, and my Uncle Leon came in a few minutes and they broke the door open then, and we went in and found my father dead.

Wheeler sat unmolested in the room for some time, quietly reloading his gun, until one of his friends suggested he had better go to the sheriff and deliver himself up. He went to the sheriff accordingly; was taken before Lowe, a Democratic magistrate, then a candidate for re-election and re-elected, who afterwards united in electing him city marshal. Lowe went through some form of holding him to bail in the sum of $5,000, which was promptly furnished by three leading citizens, although murder is not bailable in Mississippi, and the whole transaction was unlawful. The sheriff suffered Wheeler all the time to retain his gun. Twenty minutes after the murder he was seen sitting at a grocery store with Meade, the chairman of the Democratic committee,

each with a double-barreled gun in his lap. He remained about the streets of the town during the day; stood with the sheriff for an hour on the street corner with his gun in his hand, "for fear," as the sheriff said, "that he might be attacked"; attended a public meeting in Hazlehurst the next day, and was in New Orleans during the sessions of the committee there. He has remained wholly unmolested in Copiah County from that day to this.

HOW THE NEWS OF MATTHEWS' MURDER WAS RECEIVED.

The tidings of Matthews's death was received by the Democrats throughout Copiah County with extravagant demonstrations of joy. Meade, the Democratic chairman, at once telegraphed the news to other voting places. It was received at Crystal Springs at about a quarter past nine. A gun was then fired and the band ordered out who played martial music for an hour. At Martinsville when the news came there was a proposition for a salute, but a man, who had been a leading Democrat, told them if there was a salute fired he would kill the first man who did it. At Tailholt, in Beat 3, a note came bringing the news. It was received with great rejoicing, shouting, and yelling for joy. They waved their hats and formed a procession. In the language of one witness:

> Old men and leading men, that you would think would shudder at murder and be horror-struck, just yelled and fairly shouted.

In Hazlehurst, the scene of the murder, a cannon was at once fired. Mr. Ware, a Democratic merchant, testifies that Meade told him that the cannon was fired in consequence of an understanding that if Matthews was killed they were to fire the cannon. Meade denies this; but on careful re-examination of his testimony, recalling his manner and appearance on the stand, and the evidence which seems to connect him with these transactions almost at every step, we are constrained to withhold credit from his denial. At any rate, the demonstrations of joy were abundant. The band was kept playing on the streets. Crowds, excited and jubilant, thronged into Matthews's yard, and about his house, where his dead body had been carried. One band, in some sort of military array, marched to his house, where they were halted by their commander, and poured forth a flood of profane and indecent language in the hearing of the family. A crowd of 150 presented arms to Matthews's brother as he rode into Hazlehurst with his family after the murder.

RESOLUTIONS OF THE MASS MEETING.

On the next day a large and enthusiastic public meeting was held in the court-house at Hazlehurst, at which Meade presided, and Allen, secretary of the Democratic committee, was secretary. The following resolutions were passed, which were copied in the handwriting of Dodds, an eminent Democratic lawyer, chairman of the Democratic committee in the absence of Meade, who sat by the side of the minority of the Senate committee at the hearing as their adviser in the conduct of the case. The reputed author of the resolutions was Mr. Miller, the district attorney. Mr. Dodds, who copied them, refused to tell who was their author, and refused to say that Miller was not their author:

> Whereas certain rumors are current that the relatives of the late J. P. Matthews have threatened the peace of society, in order to avenge his death, by killing Democrats and destroying their property: Now, therefore,
>
> *Be it resolved by the people of Copiah County in mass-meeting assembled this day, at the court-house of said county,* That if any person shall be injured, or an attempt made to

injure him, either in person or in property, in any manner, by the said relatives or friends of said J. P. Matthews, that we hereby declare that we will hold his said relatives and friends who participate accountable for the same, and that we will regard them as without the pale and protection of the law and common enemies of society, and that we will visit upon them certain, swift retribution.

Be it further resolved, That so long as the friends and relatives of the said J. P. Matthews obey the laws and become good citizens, we hereby pledge them the protection of the law.

Resolved further, That in the opinion of this meeting it is necessary to the safety of socioty and the welfare of all races and classes in this county that the Matthews family shall keep out of politics in Copiah County.

Resolved further, That from henceforth no man or set of men shall organize the negro race against the whites in this county, and if it shall be attempted in the future, we hereby give notice that it shall be at the peril of the person or persons attempting so to do.

Resolved, That we do hereby pledge ourselves, each to the other, our lives and fortunes and our sacred honor, that we will, all and individually, from henceforth, hold ourselves in readiness to enforce the foregoing resolutions, and to meet at any time upon the call of the chairman of this meeting.

Resolved, That a committee of twenty-four from each supervisor's district be appointed by the chair to present a copy of these resolutions to the brothers and sons of the late J. P. Matthews, and that the same be published in the Copiah Signal and the Crystal Springs Meteor.

Resolved by the citizens of Copiah County in mass-meeting assembled, That the honors heretofore worn, and worthily so, by Beat No. 2, be, and the same are hereby, awarded to Beat No. 3.

Be it further resolved, That this resolution is by no means intended to reflect upon the past and present services of Beat No. 2, but to show our appreciation of the result of the election of the ticket in Beat No. 3.

It is also resolved, That the clubs continue their organizations, and consider themselves not disbanded, subject to the call of the chairman of the Democratic executive committee.

Resolved, That the thanks of this meeting be extended to the Hazlehurst brass band for their services on this occasion.

J. L. MEADE,
Chairman.

JESSE THOMPSON, Jr.,
C. J. ALLEN,
Secretaries.

These resolutions were served on the family of Mr. Matthews as they returned from the funeral. They need no comment.

Yazoo, with which Copiah desired to shake hands, is the county with whose history of crime and blood the country is familiar; the county where Dixon was shot in the back, the county whose "best citizens" celebrated last Christmas eve by murdering the United States collector of internal revenue with three other colored citizens.

At this meeting Bailey, the lawyer, and captain of the company of which Wheeler was major, made a speech. He was received with tumultuous applause, and said:

My friends, you have won a great victory. Democrats we were and Democrats we are. We have got a Democratic stock of officers. By the next election we hope to have a Democratic Congress.

Some one called out, "Tell us about Beat 3." He went on:

Now, I will tell you something about Beat 3. I went down in Beat 3, me and my friend Wheeler. I had thought to stump the beat, but after I got down there in a portion of that country, we came to the conclusion that I could do more in the saddle than I could on the stump. Therefore, we went round to electioneer, and I tell you when we started out we took along with us something like this [pulling out a pistol]. I tell you, my friends, it is the best method of electioneering I have ever seen. My friend Wheeler is a noble hand to electioneer. We would come to a house, and my friend Wheeler would get right down and go right in and take a seat right by the fire with those persons. He would electioneer a few minutes, and they most invariably agreed to vote the ticket before we left. Oh, we didn't hurt anybody.

He continued:

It would be well for some persons to go around and see those people who affiliate with the opposite party and are voting different to us, and encourage them to come together and vote with us. If they agree to come back and vote with us, grant them all courtesy and be peaceable with them, but in the event that that should fail, then what shall we do? [Loud cries, "Kill them out, kill them out"; cheering, and after the cheering subsided, a loud voice, "Kill them out!"] No; I would not advise you to kill them out; *but I believe you will do it without advice.*

The resolution "that the clubs continue their organizations, and consider themselves not disbanded, subject to the call of the Democratic executive committee," preserves these associations for future use as the regular Democratic organization of Copiah County.

There was no coroner's inquest; Dodds and other lawyers advised that officer that, as Wheeler said he did it, such a proceeding was unnecessary.

HONORING THE MURDERER.

Wheeler was elected city marshal of Hazlehurst, about three weeks after the murder, by the mayor and aldermen. The board who elected him consisted of the mayor, J. M. Norman, chancery clerk; I. N. Ellis, cashier of the Merchants' and Planters' Bank; D. S. Burch, a schoolteacher, now appointed by the governor superintendent of education for the county; and Mr. Lowe, justice of the peace, chosen to that office by the people of Beat 1; these were all eminent Democrats. Wheeler was also, on the 6th of February, 1884, elected a delegate by the temperance people of Copiah County to appear before the legislature with a memorial in their behalf.

Jordan, the city marshal of Crystal Springs, met young Matthews on the cars as he was on his way home on the day of his father's murder, and said to him, "Well, by God, you need not kick; you can't do a damned thing now."

SHOOTING OF A. W. BURNETT.

On the 6th of September, just two months before the election, Burnet, the chairman of the Independent executive committee, learned that an ignorant Democratic negro had been recommended to the governor as Republican inspector by the Democratic committee. He waited on Governor Lowrie and remonstrated against the transaction. He was waylaid on his return and shot by Charles Hart, an active Democrat, afterwards conspicuous in the armed mob. Burnet was active in politics. An attempt was made to impeach his character. But it was abundantly shown, even from the most hostile sources, that his character stood high, except as affected by political prejudice. He was the only lawyer at Hazlehurst who was not a Democrat, and had a large and growing practice. He had made some political speeches, and on one occasion met Governor Lowrie in debate and divided with him the time. Hart was in company with eight Democrats, among them Bailey, who made the principal speech at the meeting of November 7, and who acted under Wheeler as captain of the Democratic company. As Burnet passed them, near the corner of the hotel, in the street, Hart said, "I understand you say you didn't make sport of Bailey the other night." Burnet replied that he had not and could prove that he had not mentioned Bailey's name. Hart replied, "You are a God damned liar," and began to draw his pistol. The weapon caught in his pocket,

when Burnet drew a knife and struck at Hart, cutting his clothes in the shoulder, but not wounding him. Burnet then ran and had got about twenty feet and was entering the hotel when Hart shot him through the groin. The men who were with Hart separated in different directions, as if to surround and head off Burnet in whichever direction he might attempt to escape. He lay several weeks in great danger of his life, but recovered.

EFFECT ON THE ELECTION.

The effect on the election it is hardly necessary to state. Instead of the anticipated Independent majority of 300 to 500, the Democrats carried the county by 2,000. They went to many of the polling places armed with guns, and frightened the Independents from the polls. At Spencer's Mills there was an Independent majority of 70 at noon, but the returns indicated a total Independent vote of only about 23 votes when the polls closed. From one poll the Independent election officer was driven away. At another the Democrats had their guns concealed in large quantities in a house near by. One prominent Democrat remarked at Spencer's Mills, when the news of Matthews' death was received, "All we have to do hereafter is just to appoint our men and let them take their seats." At several polling places the negroes either refrained from voting or voted the Democratic ticket on compulsion. At one the Democrats present put it to vote whether individual negroes might put in their ballots, and admitted only such as voted their way. Wheeler himself was one of a squad of armed men who after the murder led up negroes to the ballot-box.

RESPONSIBILITY OF THE LOCAL AUTHORITIES.

Subpœnas in blank were put at the service of the minority of the committee and by them intrusted to Messrs. Dodds and Sexton, who were employed by a meeting of prominent gentlemen in Copiah County to present their case before the committee. They summoned a considerable number of persons who were among the mob under Wheeler, but dismissed them all without examination. Instead of inviting them to tell the facts, Sexton took the stand and indulged himself in guessing at the motives of the malefactors and the sentiments of the Democrats of Copiah. He thought—and a few other witnesses were of the same opinion—that these outrages did not meet the approval of the majority of the Democrats of that community. But the facts utterly refute this pretence. The crimes were going on for weeks, and there was never an exercise of authority for their suppression. Arms were sent from the governor to the sheriff on the afternoon of election, by him delivered to Meade, and from him went into the hands of the mob. The sheriff's house was the resort of active members of the mob when they came to Hazlehurst. Application was made to the sheriff, and, after repeated shifts and evasions, he consented, on warrants being obtained, to arrest some of the mob, but they were promptly discharged without bail or legal recognizance on their promise to appear after the election. The warrants were issued by a magistrate who had no jurisdiction, never returned to him, and no others were issued. The sheriff testified that he applied to many white Democrats to act as a posse to put down the mob, but could not get a man to go. The grand jury found no bills. No officer of justice made any attempt to discover the murderers of Wallis or the men who committed arson on the dwelling

of Crump or outraged Portner. There was a complaint before a magistrate of the shooting of Burnet. When it was inquired who appeared for the criminal, the answer was "The Hazlehurst bar." The grand jury found no bill. Every Democratic officer has accepted, without scruple, the office fruit of the double crime of murder and fraud.

ATTEMPTS TO PALLIATE THE OUTRAGES.

There has been some attempt to find a feeble palliation for the murder of Matthews by representing that he was a violent man, a desperado, and that his death was not due to political causes. This, at least, is to be said to the credit of the murderer, that he himself disdained this contemptible pretext. Wheeler declared that—

It fell to his lot to kill him; * * * that he had nothing against Matthews, but that he had pledged himself to Beat 3 to kill him, and he had done it and was not ashamed of it.

On the 13th or 14th of February, 1884, Wheeler said in a street-car in Jackson—

I killed Print Matthews. I told him not to vote and he voted, and I killed him. It was not me that killed him; it was the party. If I had not been a Democrat I would not have killed him. It was not me, but the Democratic party; and now if the party is a mind to throw me off, damn such a party.

He also said "It was my lot."

Nothing appeared in the evidence indicating a purpose to throw Wheeler off. He has been decorated with such honors as that community had to bestow. Few of the numerous Democratic witnesses who were called before the committee would consent to speak of Wheeler's band as a mob, or the killing of Matthews as murder. Meade, while he admitted there was no fear of the Independents getting the offices except by having a majority of the votes at a fair election, frankly stated that rather than give up the government into the hands "of that ignorant crowd" he would be willing to use violence. Of the resolution ordering Matthews not to vote he declined to say whether he approved it. He thought it "a little ill-advised." He approved the resolutions passed after Matthews' murder; said the crowd who rode about the county were generally tax-payers, bore a good character, and were some as good citizens as were to be found anywhere. It would depend upon circumstances whether he approved their going after midnight to the houses of colored people and threatening them with personal injury if they did not vote the Democratic ticket.

Dodds said that if General Grant should come into Copiah County and undertake to organize the negro race against the whites he would be killed quicker than anybody else. He further emphatically affirmed his belief in the right and duty of the Democrats of Copiah County, even if a minority, to use force if need be to prevent such persons as he represented the other party there to be from obtaining political power, even if a majority, in a fair election. In short, the whole tone of approving with faint condemnation the crimes we have related cannot be mistaken.

The mayor of Hazlehurst issued a proclamation calling upon the citizens to restore order, but not till after the election, although he knew of the offenses long before. He testified that he thought the majority of Democrats there were in favor of law and order, but he refused to say that he thought a majority of them were in favor of bringing these offenders to trial and punishment.

The sheriff said before the election that he didn't think there would be much peace while Matthews lived.

Mr. Birdsong, a Democratic witness called to prove that the better class of Democrats disapproved the outrages, was asked "which he thought would be the greater calamity to Copiah County, to have the Independents carry the county or to have these outrages happen," replied:

> It is very hard to tell which, in the long run. I am free to confess that the necessities of the case required such desperate remedies.

There was little abatement of the spirit of ferocity and intolerance after the election. Robinson, the workman who prepared the vault for the interment of Matthews, left the county for fear the Democrats would kill him. The laborers on the land of James M. Matthews, some of whom had lived with him seventeen years, were ordered to leave, and the house of one who did not leave when ordered was fired into. The laborers all departed. For seven or eight of the families Mr. Matthews paid the expense of transportation to Kansas.

A young man who inquired if Wheeler had any hard feeling against Matthews, being answered, "No," then said he thought it a cold-blooded murder, had three pistols presented at his head, and was compelled to retract his statement.

With few honorable exceptions the Democratic press of Mississippi, both before and since the election, has given its warm encouragement and support to the political crimes we have set forth. We subjoin some extracts, which show both the exception and the rule.

THE CHARGES AGAINST MATTHEWS.

There are few earnest and influential political leaders against whom charges are not made by their opponents quite as serious as any that were urged against Print Matthews. It was not denied that he was an able and successful business man, of blameless private life, never charged with an offense against the law, public-spirited, kind-hearted, generous, brave. He and his wife, apart from politics, would have been welcome in the best society anywhere. It was alleged against him that he purposed to arm the negroes. No evidence was produced in support of this charge, and its preposterous character was frankly conceded by some of the Democratic witnesses. There was a rumor that he had made a violent or incendiary speech. No man was found who had heard such a speech who could report any improper sentiment which he had ever uttered in public. A report of one of his speeches was laid before us which will compare favorably in moderation of tone with the political speeches of many men who stand high in public esteem in both parties. It was charged that he sought to make a race issue, to organize the negroes against the whites. But no evidence whatever appears to support this charge. We do not remember any evidence that he ever addressed the colored people as such. He appealed, as was his right, to the people of Copiah to support the party to which he belonged, by arguments addressed to their common interests without regard to race. It was said that he left the office of sheriff in debt to the county. This is true. He had a claim by way of offset, and refused to pay his final balance until that was allowed. The supreme court held that by the Mississippi law his claim could not be paid until he had first paid over to the county all he owed it. The matter was then considered by the State revenue agent, Matthews's claim fully allowed, and the balance,

after it was credited, at once paid over by him. He was all the time entirely responsible, and the whole proceeding was a method of enforcing his legal claim. No suit was brought against him. The suit where the matter was determined was brought by him against the county.

There was some evidence that Matthews occasionally used violent and intemperate language. There is no pretense that anything of the kind tended to provoke the crime which caused his death. But two instances of this were relied on. One was a circular, printed with the testimony, in which Matthews attacks Colonel King, whom years afterwards he supported for governor. The circular was printed in the heated and notorious campaign of 1875. It is abusive and in extremely bad taste. Some witnesses testified that Matthews in 1882 declared—

> He knew the circular to be a lie; that he published it to provoke King and his friends to resent it, and that he would then kill every damned one of them, and march through the country killing men and women.

If this story is to be taken seriously, it is utterly incredible. The statement was said to have been made to three or four zealous political opponents, two of them strangers, at a time when Matthews knew his own life was in great danger, and when all of the white people of his county were Democrats except about fifteen. If it were said at all, it was said as a joke or burlesque upon some of the rumors about him. Wirt Adams, the State auditor, who relates it, said "it did not seem to carry with it any great amount of earnestness."

There was also a charge that he speculated in county orders or warrants. He did no more than was done by the Democratic bank, and there was nothing to show that he used any improper means to affect their price. The Democratic chancery clerk, who testified to this fact, stated also that his own wife engaged in the same speculation.

WHY MATTHEWS WAS KILLED.

Matthews was slain solely because he was an eminent and influential Republican, that his death might strike terror into the opponents of the Democratic party, and enable that party, being in a minority of legal votes, to take possession of Copiah County. He was not murdered for any intemperance of speech. He was not murdered for any personal quality of character. He was not murdered because he advised the negro to vote. If, every fault imputed to him being intensified tenfold, he had advised the negro to vote the Democratic ticket, the minority now calling itself Mississippi would have been ready to clothe him with office and honor. He was murdered that the Democratic party, though a minority, might possess the government of the county of Copiah and the State of Mississippi, and might send Representatives and Senators to the National Congress without constitutional right.

No national election was pending, except an election of a legislature authorized to elect a Senator of the United States in case of a vacancy. But these crimes, if successful, render a fair national election impossible. They enabled the minority to appoint the officers of justice who should protect the citizen in his franchise. We believe that the result of the next election in Mississippi will have no relation whatever to the will of a majority of her people.

They say in defense of these practices that they are necessary to preserve their civilization. We do not see the necessity. The sooner a civilization perishes which is founded on cheating and murder the better. Better that the waters of the great river should again cover the

land, which in ages it has formed, than that it should be occupied by a State which breeds her youth to fraud and assassination.

The census shows nine Indians in Copiah County. We are happy to report that there was no evidence implicating any of them, or which tended to induce the belief that any one of them was capable of the barbarities which are disclosed.

REMEDIES PROPOSED BY THE COMMITTEE.

The committee had not time to go into a full investigation of the condition of the rest of the State. Upon the general question of the security of constitutional rights in Mississippi, the committee can only refer the Senate to the evidence of the witnesses who think Copiah a favorable specimen of the counties of that State, to the documentary matter brought to our attention by Judge Ware, to the evidence taken by the Senate committee in 1876, to the testimony in the election cases in the House of Representatives, to the numerous declarations of the Democratic press, and to the crimes well known and unpunished, such as the murder of Chisholm, of Patterson, of Dixon, and of the United States collector of internal revenue, and three others in Yazoo, whose blood-stained hands Copiah is so eager to grasp. No legislation dealing with Mississippi alone should be enacted without an investigation which should cover all parts of the State. Before such investigation a national election will have taken place, at which the temper and respect for law of the people of Mississippi will undoubtedly be made fully manifest.

It is asked, sometimes with a tone of exultation and defiance, what remedy we can propose for these things? Unquestionably, so long as any considerable political party shall deem it for its interest to countenance such crimes, the remedy will be attended with difficulty.

But they little understand the spirit of the age, the temper of the American people, or the power of education and freedom, who believe these things can long endure when held up to the daylight. The communities that perpetrate them cannot long withstand the abhorrence and indignation of the country. The power of the moral sense of mankind, the sting which belongs to the consciousness of having outraged it, which Mr. Webster, sixty years ago, deemed strong enough to turn the scepter which Turkish oppression held over prostrate Greece to ashes in the grasp of the tyrant, is not likely long to fail of full effect upon the people of an American State. It is noticeable with what care the events of the election of 1883 in Mississippi have been kept from the columns of the newspapers. The sensitiveness of most of the Democratic witnesses, who were above the level of mere ruffianism, to their condition, showed itself through their tone of bravado and defiance.

If the Constitution has not powers enough in its arsenal for the protection of all the rights it confers or recognizes, the people on being satisfied of the fact will confer others.

The great prizes for which these crimes are committed can be kept from the grasp of those who commit them by the exertion of an unquestioned constitutional authority. Each House of Congress is imperatively required, by its duty, to refuse seats to persons whose election is directly or indirectly due to crime, either of violence or fraud. The boast of the orator at the meeting held on the day after election to ratify the murder of Matthews, and the proceedings of what Mr. Barksdale calls "the procession" in Beat 3 must not be realized.

The committee recommend the publication, for the information of the American people, of the testimony they have taken.

They further recommend the passage of Senate bill No. 15, which is designed to afford a remedy for some of the evils which are disclosed.

They further recommend that after the next election in Mississippi, unless the same shall be unquestionably fair and free, there shall be a full investigation of the condition of things in that State, with a view to determining the question whether republican government exists there, and whether it is entitled to its existing representation or has forfeited it in whole or in part by reason of the denial or infringement of the right to vote of any portion of its people.

The questions of submitting to the Senate further legislation and of the necessity of conferring new powers on Congress by an amendment to the Constitution to afford further protection to the rights of citizens, we reserve for further consideration.

GEO. F. HOAR.
ANGUS CAMERON.
JOHN SHERMAN.
WM. P. FRYE.
E. G. LAPHAM.

APPENDIX.

BOUND TO CARRY A WHITE MAN'S TICKET.

We must have the triumph of the white man's ticket; we would be more than pleased to see the colored men join our ranks, and should they do so, we agree to give them all the rights guaranteed them by the Constitution. We do not, however, promise them anything impossible. We do not propose for them to dictate to us, but if they are willing to aid us in securing a good government, we shall be glad to receive them. In Copiah County, however, we, the whites, are in the majority, and we must carry our points. You do not deserve to be called a white man unless you vote a white man's ticket.—Copiah Signal (Democrat), July 6, 1883.

ON THE ALERT IN COPIAH.

In the last issue of the Brandon Republican appears quite a sensation article under the caption "Hell broke loose in Copiah." That article overdraws the picture very much, and we wish to make the proper correction. Our people have been in a state of considerable excitement owing to the fact that the air has been full of rumors of all sorts, whether founded in fact or not we could not tell, but they thought it well to be on the alert, and so they have been.—Copiah Signal (Democrat), September 14, 1883.

LEAD ADVISED.

Remember, remember '65 and '76, ye white men of Copiah. Go in to win. Rouse up and shake the lethargy from your limbs. * * * Incendiary speeches have but one counter-irritant—lead.—Crystal Springs Meteor (Democrat).

THE WAY TO WIN.

Give it to 'em, boys, like they got it in 1875. That's the way to win.—Copiah Signal (Democrat), October 11, 1883.

PREPARING THE WAY.

If there is one name more detestable and abhorrent than another to a Copiah Democrat, that name is Matthews.—J. L. Meade's address to Copiah Democrats.

BEST FOR THE NEGROES NOT TO VOTE.

The Independents out in Beat 3 imagine they are entitled to full possession of the affairs in that locality, but they are laboring under a grave mistake. The Democrats are not going to be ruled or dictated to by them any longer. The negroes had as well understand this now. If they will not vote with the Democrats, it would be best for them and the country that they refuse to participate in the election. The weather might be warm that day and they might possibly get sun-struck.—Copiah Signal (Democrat), October 18, 1883.

WHY MATTHEWS WAS KILLED.

Every bullet that was shot into Matthews will be worth thousands of votes to the Republicans, because it will be said, and cannot be denied, he was killed on account of his politics by intolerant Democrats.—Vicksburg Post (Independent Democrat).

WHY THE MURDER OF MATTHEWS WAS A VIRTUE.

Nobody knows yet what Print Matthews suffered the extreme for. It was not because he was voting the Republican ticket, nor that in a fair and honorable way he had persuaded negroes to do it. No, it was not for that. It was not on account of politics in any way. He had organized the negroes in a frenzied spirit of hate to antagonize the white people that made him a perpetual danger to the white people. He had put himself outside the protection of the civilized white men of Copiah, and made it a virtue for any one of them to slay him, for the benefit of the community. The slaying of such a man under such circumstances is not murder; however it may appear technically, it is justifiable homicide.—Meridian Mercury (Democrat).

TWO PROPOSITIONS PROVED.

Two propositions may now be said to be clearly demonstrated and proved (according to Mississippi Democratic newspaper authority): first, that the United States Government is liable for the debts of the Confederate government, and ought to pay them; and second, that Print Matthews either killed himself or instigated his own killing, and therefore is the only guilty party.—Vicksburg Post (Independent Democrat).

HOW NOT TO CRUSH ANTI-BOURBONISM.

Of course our people do not want and will not submit to a rule of ignorance and corruption, but this can be averted without committing such a terrible murder as was that of Matthews, and without passing such foolish and intolerant resolutions as those of the Hazlehurst mass-meeting.—Vicksburg Post (Independent Democrat).

AN ALTERNATIVE.

The testimony of both Republicans and Democrats is that there were great irritation and anger, because the blacks were solidly combined under the leadership of Matthews against the whites. This led to Matthews' destruction, which was probably the most merciful and effectual solution of the situation. It was certainly more merciful and just than to kill a number of Matthews' ignorant followers.—Vicksburg Herald (Democrat).

TRUE SOUTHERN SENTIMENT.

Instead of being tortured by his inquisitors, Mr. Barksdale should have prized the opportunity to hurl in their faces the truth about the sentiments of the white citizens of Copiah, of the State, and of all the Southern States. The truth is, that they will not submit to negro leaders. *Rather than do it they will kill them.* This is the simple, valuable truth, and the sooner the whole country is prepared to accept it, that the two races may adjust their own relations, the better for all.—Vicksburg Herald (Democrat).

AN EXPLANATION THAT MR. BARKSDALE OMITTED.

Why did not Mr. Barksdale tell the committee the plain truth, that the words "Copiah shakes hands with Yazoo," meant, and could only mean, "Copiah congratulates Yazoo upon her recent triumph!" That would have been manly and straightforward, because it would have been the naked, unadulterated truth, but then there would have been nothing oracular about that, and Mr Barksdale would have lost the opportunity of posing like a fretful, peevish boy.—Vicksburg Herald (Democrat).

FAITHFUL BULLETS AND EARNEST BUCKSHOT.

Pinchback presiding over a convention to nominate a governor of Louisiana, reminds one of reconstruction times. If such a character could preside over a Republican convention in John Sherman's State, or Hoar's State, it would help them very much to understand and appreciate what the white people of the South had to contend with. We have faith that it would satiate their appetite to investigate every case where a negro leader stops a faithful bullet or a few earnest buckshot.—Vicksburg Herald (Democrat).

AN INDEPENDENT VIEW.

We have repeatedly defied those who are disposed to condemn the Post for its utterances in regard to the Matthews killing to name a single word or sentence of ours that would or could be used by the Republicans of the North. We renew the defiance. * * * The killing of Matthews has been shown beyond the possibility of doubt by the most skeptical to be a cold-blooded, predetermined, heinous assassination, instigated by the Democrats of Copiah County, and, since the perpetration of the cowardly, inhuman act, condoned and defended by them, to an extent next in shame and disgrace to the shocking deed itself. Matthews, unwarned of his life, was shot down like a dog because he had exercised the fundamental right of free government of casting a free ballot; shot by the calmly-appointed tool of an intolerant and blood-thirsty mob. * * * Then, such things being true, who, knowing any distinction whatever between honor and dishonor, and cowardice and courage, brutality and humanity, will refuse to denounce and condemn them? We are not of those who muzzle their conscience that the iniquities and villainy of any man or party may go unbranded and unpunished. * * * The killing of Matthews was a bloody, brutal murder, and the arrogant defense of the ugly crime by pretended Democrats cannot free it from the fatal stain. By what code of moral or political ethics are men who defend such crime governed?—Vicksburg Post (Independent Democrat).

THE QUESTION OF REMEDY.

The Sherman committee bodes no good to us. He is a cold-blooded statesman and does nothing except in pursuance of a very definite idea. The injection of 7,000,000 freedmen into the social economy of the South has given our section almost the power of choosing a Government for the great North and a nation of 50,000,000 people. If it can be shown that we, who were so lately warring on the Government, are about to assume power through seizing by violence on the electoral votes of this extraneous population, the question of remedy will be presented to the so-called loyal States.—Greenville (Miss.) Review (Democrat).

WHAT ARE YOU GOING TO DO ABOUT IT?

Suppose it should turn out that the Danville and Copiah affairs are all that the fancies of the organs have painted them—what do the organs propose to do about it?—Atlanta (Ga.) Constitution (Democrat).

VIEWS OF THE MINORITY.

VIEWS OF THE MINORITY.

Mr. SAULSBURY, from the Committee on Privileges and Elections, submitted the following views of the minority:

The undersigned members of the Committee on Privileges and Elections, to whom was referred a resolution of the Senate directing an inquiry into alleged occurrences in Copiah County, in the State of Mississippi, dissenting entirely from the statements and conclusions contained in the report of said committee, respectfully submit their own views of affairs in said county as shown by the testimony of reputable and credible witnesses examined by the committee.

The undersigned fully concur in the assertion of the committee that "nothing can be more justly odious than to use such investigations and disclosures as political instruments," and this is especially true when such investigations are incepted and conducted, not to ascertain and establish the truth, but by distortion of facts to mislead the public mind and excite popular prejudice in order to advance the supposed interests of a political organization. The history of legislative investigations proves that they have too often assumed the character of inquiry for partisan purposes calculated to bring "personal humiliation" upon the committee charged with the investigation, and, to a certain extent, degradation upon the body of which they are members.

The undersigned would, if they could, gladly exonerate the investigation in which they have been compelled to take part from the taint or suspicion of a partisan purpose and design, but justice to truth and candor compel them to declare it as their conviction that the investigation in which they have been reluctantly engaged was originated and conducted for the purpose of aiding the Republican party in the approaching Presidential canvass by reviving the stories of outrage and crime so effectually used in former political campaigns, and perhaps to furnish an excuse, if necessary, for rejecting the vote of Mississippi in the electoral college, and thereby defeat, as was done in 1876, the clearly-expressed will of the American people in the choice of a President. We are reminded even in this report of the investigation of Mississippi in 1876, and we are prepared to believe that no action was taken upon that report simply because the appropriation of the electoral vote of Louisiana, Florida, and South Carolina was found a more effectual measure than the rejection of that of Mississippi.

The undersigned are fully aware of the responsibility which they assume in thus frankly avowing their conviction that the investigation into the condition of affairs in Mississippi was set on foot, prosecuted, and consummated with no other design or purpose than to make political capital to be used in aid of the Republican party in the coming election,

but they would be derelict in duty to the Senate, derelict in duty to the people of Mississippi, who have been misrepresented and slandered in the preamble to the resolution directing the investigation as well as in the unwarranted statements and conclusions of the committee, if they failed to declare the conviction which every step in the inquiry has forced upon their minds. For the justification of the opinion which they here express they appeal with confidence to the history of the investigation from beginning to end.

ORIGIN OF THE INVESTIGATION.

On the 23d day of January, 1884, the resolution directing the inquiry was introduced in the Senate accompanied by a preamble reciting that certain allegations had been made "in the public press" (of the truth of which the author of the preamble and resolution did not profess to have any personal knowledge) charging upon the Democratic party of Copiah County every species of crime known to the vocabulary of unscrupulous politicians, and that such crimes were the result of a conspiracy on the part of the white men of the county by violence and fraud to control the election in said county.

The further charge was made that the authorities of the State of Mississippi failed and neglected to do their duty, but contributed to the "overthrow" of the "civil and political rights" of citizens of the county, and thereby became *particeps* in the conspiracies, violence, and homicides alleged, upon the authority of the press, to have occurred. These recitations of alleged offenses were based largely upon an interview which appeared in the National Republican, published in the city of Washington, with one A. W. Barnett, on the 29th of December, 1883 (and which the committee have incorporated in their report), and upon personal interviews of said Barnett with members of the committee, who join in the report. Without stopping at present to speak of Barnett and his damaged reputation for veracity, the undersigned desire to call attention to the fact that upon mere newspaper gossip and the statements of an adventurer who sought to command attention and secure a Federal office by proclaiming himself a martyr to the Republican party an indictment is deliberately framed against the people of Copiah County and the authorities of the State of Mississippi, and introduced into the Senate of the United States, directing an inquiry into the charges thus made. Can any one doubt the purpose and object sought by the inquiry? We do not profess to be "discerners of the thoughts and intents of the heart," but we are not so blind to recent political events or so forgetful of the part which the cry of outrage and wrong has played in partisan campaigns as to be deceived in reference to the object and purpose of the inquiry.

At every recurring Presidential election since the close of the civil war the attempt has been made to excite the prejudices of the people of the Northern States by accusations of outrage and wrong in the South, and, unfortunately, these stories have had for a time their influence upon the unsuspecting and ignorant. Time, however, has shown that many of the charges of violence and bloodshed heretofore made were unfounded fabrications promulgated for partisan purposes, and known at the time by those who put them in circulation, and availed themselves of the advantages which they conferred, to be false and unfounded. Who does not remember the asseverations of injury to Eliza Pinkston and the part the story of her wrongs played in justifying the action of the returning board of Louisiana in throwing out the votes

of thousands of the electors of that State cast for Samuel J. Tilden in 1876, and counting the State for Hayes? Who does not remember the pathos with which her wrongs were recounted in the Republican press, and even recited in the Senate of the United States? Yet who believes the story to-day; who does not understand the animus that prompted it? These stories of the past had lost their potency, and other tales of outrage must be concocted to revive the slumbering and expiring prejudices which had heretofore contributed to Republican success. To effect this object the investigation into affairs in Copiah County, Mississippi, and Danville, in Virginia, was conceived and brought forth. This, and this alone, was the object proposed.

THE INVESTIGATION.

If the origin of the investigation had left any doubt as to the purpose for which it was instigated, that doubt would have been removed by the manner in which it was conducted. The committee may have been "reluctant" to enter upon the duty assigned them, but it was obvious from the beginning that they did not intend that it should fail to secure the desired result if they could prevent it. If to ascertain the truth of the charges alleged against the people of Copiah County and the authorities of the State had been the object proposed, the investigation would doubtless have taken place in Copiah County, where it was alleged that crime had been committed. If conspiracies had been formed for the perpetration of the most heinous offenses, subversive alike of civil and political rights and social order in the community, surely the place to ferret them out was the locality where they existed.

If, on the other hand, the refutation of the slanders upon which the investigation was based was sought to be avoided, it was eminently proper that the inquiry should be held outside of Copiah County, and outside the State of Mississippi. Those of the undersigned who were members of the subcommittee insisted upon conducting the investigation in the county and State where the violations of law were alleged to have occurred, but the majority of the subcommittee determined to hold the inquiry in the city of New Orleans. Without intending to intimate that the selection for the inquiry of the custom-house in the city of New Orleans, where perjury and fraud have been recognized as important factors in political investigations, was made for the purpose of availing of such agencies in the investigation, the undersigned may be permitted to say that such selection was not calculated to aid in the ascertainment of the truth or to force the conviction that such a result was the paramount desire of the committee. It was unjust to the people of Copiah County, whose reputation for the observance of law and order had been assailed, and who had been charged with conspiracies to commit violence and murder to prevent Republican success in the local election of the county, that the investigation should have taken place at the distance of 140 miles from the county and outside of the State of which they were citizens. There was less restraint upon witnesses disposed to swear falsely, and less opportunity to impeach and contradict them in so doing.

If the personal comfort and convenience of the committee controlled the selection of the place for the investigation, perhaps that purpose could not have been better served, but we submit that such a consideration was unworthy of a moment's thought when weighed against the rights of an accused and maligned community.

The undersigned feel justified in referring to another fact connected

with the investigation showing that its design and purpose in part was to manufacture partisan literature for the Presidential campaign. A correspondent of two leading Republican papers at the North—the New York Times and a paper in Boston—was selected as clerk of the subcommittee, who sent off to the papers with which he was connected while the investigation was in progress partial and distorted statements of the testimony taken, which were copied in other Republican papers throughout the country. The avocation of the clerk as a writer for the press was known to the majority of the committee and his misrepresentations of facts tolerated, if not approved, by them. It may be that the impropriety of publishing garbled statements of matters detailed before the committee did not occur to the clerk, but the members of the committee responsible for this appointment would certainly have permitted no such breach of decorum unless it met their approval and aided the general purpose and design of the investigation.

REPORT OF THE COMMITTEE.

The report of the committee likewise furnishes the most indubitable evidence not only of the partisan purpose of the investigation but of the unreliability of the statements and conclusions reached even by a Senatorial committee when party interests are to be served by an investigation committed to its charge. The undersigned have no hesitation in saying that a fair and impartial jury of intelligent men listening to the testimony taken before the committee, and giving due weight to the evidence based upon the character of the witnesses and the reliability of their statements, would unhesitatingly have arrived at conclusions directly the opposite to those submitted by the committee. The report evidently ignored or purposely disregarded the sworn testimony of the most intelligent, trustworthy, and reliable citizens of Copiah County and gave full credence and belief to the statements of persons some of whom were shown to be destitute of character for veracity and others apparently too ignorant to understand and regard the obligation of the oaths they had taken. Assuming that the wildest rumors freely detailed before the committee were true, and that unsupported hearsay when it tended to establish what was desired to be proved was equally as reliable as the truths of revelation, the majority of the committee have embodied in their report statements not only unwarranted by the general current and weight of testimony but at variance with facts clearly established by the evidence of some of the most respectable and reliable men in the State of Mississippi.

CHARACTER OF THE PEOPLE OF COPIAH COUNTY.

There has been an evident attempt, not only in the preamble and resolution directing the investigation into affairs in Copiah County, but throughout the entire investigation, and in the report of the committee, to make the impression upon the country that the white people of Copiah County (and indeed of the State of Mississippi) are a turbulent, disorderly, and violent people, regardless alike of the claims of humanity and the obligations and duties imposed by the Constitution and laws of the land. The undersigned feel justified in saying that such statements and insinuations, from whatever source they emanate, are not only unwarranted but positively contradicted by the evidence taken by the committee. While doubtless there are in Copiah County, as in every other community, some persons unmindful of their duties as citizens, and

reckless alike to the intersts of themselves and the rights of others, we do not hesitate to say from the evidence before us that the percentage of such persons is not in excess of that in most other localities, and far less than obtains in many other places, and that the number of crimes and violations of law committed by white people in that county are less in number and less aggravated in character than in many portions of New England and other Northern States that boast of their educational advantages and superior civilization. The great majority of the white citizens of the county are engaged in agricultural pursuits, living on their farms and pursuing the peaceful methods incident to their avocations, dependent to a large extent upon the labor of the colored race, their own interest and that of their families, if no higher motives, require the cultivation of kindly relations between themselves and their employés. Living thus in the quiet of rural life, the white citizens of Copiah County are remarkably conservative, peaceful, and-law abiding, as the following extracts from the testimony will show:

The Rev. W. B. Bingham, a Presbyterian minister, pastor of a church in Hazelhurst, and superintendent of education from 1876 to 1884, testifies as follows:

Q. Do you know the citizens of Copiah County pretty well?—A. Yes, sir; I am acquainted with nearly all the leading citizens in this way: In selecting trustees throughout the county the object is to get the best men who are patrons of each school as trustees of those schools, and I often have to confer with the trustees of the schools on school business, and in that way have formed the acquaintance of nearly all the best people in the county, both white and colored, being trustees of their respective schools.

Q. What are the characteristics of the citizens of Copiah County in regard to a love of order, intelligence, and their general character?—A. The people will compare favorably with the people of any neighborhood in which I have ever lived. The people are noted for their hospitality and as law-abiding citizens, and are as intelligent and moral as any people with whom I have lived.

Q. Are they church-going people?—A. Yes, sir; there are quite a number of churches established throughout the county.

Q. What State are you from?—A. I am a native of Alabama.

Q. Do you find they compare favorably with the people of Alabama?—A. Yes, sir; I think so.

Q. And with the people of other communities in which you have lived?—A. Yes, sir.

Hon. S. S. Calhoun, a prominent member of the bar and formerly one of the judges of the judicial district embracing Copiah County, in his testimony before the committee (pages 470 and 471) says:

S. S. CALHOUN sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. I live in Jackson, Miss.; have been living there for a year and a half.

Q. What has been your profession or business?—A. I am a practicing lawyer at Jackson.

Q. Were you ever upon the bench of your State?—A. Yes, sir; I was on the bench for about six and a half years. I served one full term and was reappointed in May and resigned the 15th of October.

Q. What counties were embraced in your judicial district?—A. The ninth district embraces the counties of Yazoo, Madison, Hinds, and Copiah.

Q. How often do you hold court in Copiah County?—A. Twice a year.

Q. You were in that county holding the terms of that court twice a year; on any other occasions?—A. I hold two terms a year; I am not sure that I have held a special term in Copiah.

Q. Had you an opportunity of becoming pretty well acquainted with the people of Copiah County?—A. Yes, sir; I knew the population of that county by their general appearance, and was acquainted with nearly all, if not all, of the prominent men of the county. I had such acquaintance with them as a circuit judge would naturally have of a people over whom he presided.

Q. What is your estimate of the white people of that county as good, law-abiding

citizens?—A. I regard them as fairly up to those of any county in the State. The truth in reference to that is, I think the people are very much the same the world over. You will find about the same of good and evil in all civilized countries, and Copiah County stands about as well as any of them that I know. Of course, there are counties perhaps in the State, and many counties in other States, which have had greater advantages than Copiah County, and that may be more elevated in point of education and general enlightenment; but I think as good, honest people, they will compare well with any people I know of. There are bad men there and good men, in about the same proportion as elsewhere.

The following is the testimony of T. H. Hargrave, sheriff of the county, on this point. Mr. Hargrave is a gentleman of high standing in his county, universally esteemed for integrity and honesty, and of a most amiable disposition, as his patience and forbearance fully demonstrated during a tedious and not very courteous, and sometimes offensive, cross-examination. (See page 564:)

T. J. HARGRAVE sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Hazlehurst.

Q. Are you the sheriff for that county?—A. Yes, sir.

Q. When were you first elected sheriff?—A. I was first elected in November, 1881.

Q. And re-elected at the last election?—A. Yes, sir.

Q. What is the term of office?—A. Two years.

Q. You were re-elected in 1883?—A. Yes, sir.

Q. As sheriff of the county, I suppose you have a very general acquaintance with he people of the county?—A. Yes, sir; I think I have.

Q. What is your estimate of the character of the white people of that county as peaceable and law-abiding citizens?—A. To take them as a whole, I think they will compare favorably with the people of any other county in the State.

W. C. Wilkinson, in reference to the general character of the white people of Copiah County, testifies as follows. Mr. Wilkinson is one of the most prominent and intelligent citizens of the county, against whom no word of censure or reproach was uttered by the most malignant partisan. (See page 522:)

W. C. WILKINSON sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. At Crystal Springs.

Q. What is your business and occupation?—A. I am a merchant.

Q. What is the character of the white people of your section; are they a conservative, law-abiding people?

The WITNESS. Do you mean in the county?

Mr. SAULSBURY. Yes; in the county and in your locality.

A. Yes, sir; it is as good as can be had anywhere. The county is composed generally of small farmers; of white men who are small farmers, and they are always law-abiding, and may be regarded as a Christian people.

Q. That is the general character of the people there?—A. Yes, sir; the general character. A few years ago I served on the grand jury, and in my capacity as foreman, in making my report, I took occasion to call attention to the remarkably peaceable character of the people; that there were so few crimes against the person reported to the grand jury. Nearly all the crimes reported were those of petty thefts by negroes, and where white men were involved it was for illegal liquor selling. Owing to the strict laws on the subject many indictments of that class were found. That, and carrying concealed weapons, constituted about the principal offenses.

Mr. G. S. Dodds, a prominent lawyer of the county, to whose testimony we may have occasion to refer in other connections, speaks of the white people of the county as follows. Mr. Dodd's frank and candid manner in delivering his testimony, as well as his known high character, must have impressed the entire committee most favorably. (See page 489:)

Q. You are well acquainted with the people of Copiah County, I suppose?—A. Yes, sir; I have been raised in the county, and I do not suppose there are fifty white men in the county that I do not know personally.

Q. I will ask you, from your knowledge of, the white men and Democrats of that county, whether the large majority of the white men and Democrats of that county are not in favor of the preservation of law and order in the community, and are not good citizens?—A. They are, undoubtedly, from this fact: We have borne a great deal there, our people have, and we have gone through with heated canvasses, and we have submitted to corruption in office there, to our treasury being robbed, our warrants being put down, and all that, and in the face of all that, up to the present trouble, I do not believe there had ever been within the limits of Copiah County, so far as my information goes, any disturbance growing out of politics or anything in connection with it.

Mr. A. F. Andre, an intelligent witness produced before the committee, and examined in reference to the character of the people of the county, spoke as follows (page 477):

A. F. ANDRE sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Crystal Springs, Miss.

Q. Have you lived there several years?—A. Yes, sir; twenty-five years.

Q. You are a foreigner by birth?—A. Yes, sir; I was born in Sweden.

Q. Are you a naturalized citizen?—A. Yes, sir.

Q. You know the people of Copiah County pretty well?—A. Yes, sir; I know them.

Q. The white people and the Democrats?—A. I think I know them all.

Q. What kind of people are they? Are they a peace-loving, order-loving people, or the reverse?—A. I have found them to be peaceable, good people, as good as I have met with anywhere else that I have been.

Q. You have been a good deal over the world, have you not?—A. Yes, sir.

Q. And lived in various communities?—A. I have lived in Canada, and I lived in the State of New York when I was a young man, and have traveled some in Europe.

Q. And you find these people as good an average class of citizens as you find elsewhere?—A. Yes, sir; as I have found anywhere.

Q. A peaceable, law-abiding, religious people?—A. Yes, sir.

Sylvester Gwin, esq., who was born and resided for more than fifty years in Mississippi, and is auditor of public accounts of that State, residing in the city of Jackson, and having a general acquaintance with the white people of Copiah County, speaks of them in the following complimentary terms (page 466):

Q. What is your estimate of that county, of the white men and Democrats of that county as peaceable and law-abiding citizens?—A. I do not believe that there is a better element of white men anywhere than there is in Copiah County. They have always been regarded as a proud, high-toned people, the people who form the citizenship of that county; it has been so regarded and the county has often been spoken of throughout the State as containing an elegant class of people, always alluded to in that way. It is a large county, and has a great many white people in it and a great many negroes. It is among the largest tax-paying counties in the State.

Q. Do you believe that any large percentage of the white people of that county would encourage or ever did encourage lawlessness and violations of law and order in that county?—A. I do not; on the contrary I believe they would discourage anything of the sort.

Judge T. E. Cooper, one of the justices of the supreme court of Mississippi, for many years a resident of Copiah County, testifies also to the good character of the people of the county. (Page 453.)

Q. You have lived a good many years in Copiah County?—A. Yes, sir.

Q. And know its people very well?—A. I think I have a general acquaintance with them

Q. What is the general character of the people of Copiah County, especially of the Democratic portion of that people, for peace and law and order; are they good citizens or otherwise?—A. I think it is an average county of the State or of the United States. I think the people are about the same there as elsewhere—have their virtues and their faults.

Q. You think, then, that a large majority of the people are law-abiding, orderly, good citizens?—A. I do.

Q. And that they have only the usual proportion of disorderly and turbulent people?—A. Yes, sir.

Q. Always to be found in communities of the same population?—A. Yes, sir.

CANVASS AND ELECTIONS.

There was an election to be held in Copiah County for members of the legislature and certain local offices. No member of Congress was to be voted for, nor was a Senator to be elected by the legislature. The election was purely local and could have in its results no possible bearing upon questions with which any department of the General Government had the least concern. Until within the last few years no interference with or inquiry into the local elections of the States of the Union has been deemed necessary or proper, and this, we believe, is the first instance in the history of the country where such an inquiry has been attempted by either House of Congress unless where the right of some claimant to a seat in one House or the other, or the election of Presidential electors, was involved. The county had for a number of years been generally Democratic, but candidates on the opposite side would sometimes be elected to minor positions.

There was no Republican ticket nominated, but the party opposed to the Democracy assumed the name of Independents, and its candidates with one or two exceptions were persons who had never claimed to be Republican. Candidates were placed in nomination for the various offices by both parties some weeks before the election, and the canvass commenced by joint discussions by speakers on the respective sides. Seventeen joint meetings were arranged and held, accompanied with the usual interest which such discussions excite, but no disturbance of the peace or disorder of any kind occurred. The appointments for joint meetings terminated some twelve or fourteen days before the day of election, and afterwards various club and other Democratic meetings were held in different parts of the county, both in the day time and at night as is usual in every State and county in the Union where elections are to take place. The candidates of the Independent party, as it was called, decided to hold no separate meetings, but this determination resulted from no apprehension of disturbance or opposition to their doing so if they desired, but from a belief that a further contest was useless or that a private and personal canvass would prove more successful. The adoption of this policy by the Republican candidates was regarded by some voters as an abandonment of the contest and doubtless contributed to increase the majority against them. Several Democratic meetings just prior to the election were held in beat 3, one of the subdivisions of the county, and persons attending them formed in procession in going to and returning therefrom, accompanied by a band of music and taking with them a cannon to announce the meeting as is sometimes done by both parties in that State; some of the persons in the procession likewise carried guns, but no proof was offered to show that any person in any of these processions ever attempted to injure any person with the arms in their possession. The report of the committee represents that this company began its operations about the time the debates closed, some fourteen days before the election, and insinuates that thereafter and because of its presence no Republican speech was made in the county.

Both these representations are untrue. In fact no procession was formed until Thursday or Friday prior to the election on Tuesday, and until the day preceding the election, when it came into Hazlehurst to attend a meeting addressed by Major Barksdale. These processions existed only in beat 3 where Democratic meetings were being held. Leon Matthews, the Independent candidate for the office of sheriff, in response to suggestive interrogations spoke, in his examination-in-chief of a mob as he termed it parading the county for weeks, but on cross-examina-

tion was compelled to admit that he never saw the company until Monday before the election when it came into Hazlehurst, although he had been in the county and had canvassed the county thoroughly. The Independent candidate for chancery clerk never saw or heard of the procession until Monday, although he testified that he had been actively canvassing every part of the county prior to that time.

For effect the committee and some of the witnesses chose to term these processions mobs, but they were, in fact, nothing more or less than political processions differing only from similar processions in other parts of the country in taking along a cannon and other fire-arms. These processions, as is shown by the testimony, were composed largely of farmers and other persons living in the county, most of whom were shown to be good citizens, to whom no crime has ever been imputed. Doubtless there were also some thoughtless and rash young men in the procession, some of whom may have indulged in improper methods to influence the result of the election. Some acts of violence may, in a few instances, have been committed by heedless youths or reckless men or what, in the opinions of some of the witnesses was more probable, by persons who took advantage of these occasions to avenge private grievances in the hope of diverting suspicion from themselves.

From whatever cause or causes any of the alleged acts of violence may have occurred or by whom committed they meet the unqualified disapproval of the undersigned, as we are sure they do of all good citizens of Copiah County. We cannot, however, withhold the expression of our convictions based upon the evidence before us, that these alleged acts of lawlessness in that county are greatly magnified in number and exaggerated in character in the report of the committee. Acts of violence wholly unconnected with politics, resulting from personal animosities, are gravely charged in the report as political outrages without justification, and contrary to facts established by the testimony. If, however, the undersigned were to admit (which they cannot with due regard to the truth) that a condition of affairs existed in Copiah County as reprehensible as is alleged in the report of the committee, we should be at a loss to conceive what excuse or justification it could furnish for an investigation by a committee of the Senate. The right of no Senator to a seat in the Senate nor the act of any Federal officer was involved in the inquiry. Why then should the Senate interfere in a matter purely local, and send out a committee of the body to assume jurisdiction of a matter with which it has no rightful concern. Had no partisan purpose been to serve no such inquiry would have been instigated, and no such report been made by the committee detailed for the humiliating service. It is a matter of congratulation, however, that the instigators and aiders in this partisan enterprise, eager to avail themselves of every rumor of violence and wrong, which, by contortion and misrepresentation could be charged to the Democratic party, have been unable to find by the most diligent inquiry any locality in the whole country except Danville, in Virginia, and Copiah County, in Mississippi, where the slightest political disturbance has occurred.

A few years ago the inventive genius of party leaders, aided by carpet-bag allies could invent calumnies and slanders against every community in the Southern States, but with equal desire to avail themselves of similar means to assist the Republican party in the coming Presidential election they have not the boldness to charge the least offense against the Democratic party in any State except at the places named.

The canvass in the county was attended with considerable excitement, growing in part out of the management of the financial affairs of

the county. At the election of 1881 a majority of the supervisors of the county chosen were Republicans. They went into office on the first Monday in January, 1882, and held office for two years. When they entered into office the county was out of debt, except a debt of $3,000 due the school fund, and had a surplus of $13,000 to the credit of the general fund leaving a clean balance in the treasury of $10,000. They run the county in debt and issued warrants to teachers of the public schools and other persons having claims against the county, which they were compelled to sell at large discounts, and which were brought up by speculators, one of whom was J. P. Matthews, who seems to have controlled the official action of the supervisors. In addition to depleting the treasury, this board of supervisors involved the county in a debt of between $15,000 and $20,000, to be paid by taxes levied upon the people of the county. The apprehension that the success of the Independent ticket in 1883, some of the candidates of which were members of the old board of supervisors, would continue the further management of the affairs of the county, produced, with other causes, not only a general interest in the election on the part of tax-payers, but an earnest determination to prevent, if possible, the dreaded calamity.

Here follows some of the testimony in reference to the matters referred to.

J. M. NORMAN recalled. (Page 544):

By Mr. SAULSBRUY:

Question. You are the chancery clerk of Copiah County?—Answer. I have been.

Q. When was your term out?—A. In January last.

Q. As chancery clerk was it or not your duty to ascertain the condition of the business of the officers of the county at the close of their terms?—A. Yes, sir; I audited the accounts of public officers.

Q. I will ask you what was the condition of the finances of Copiah County when the board of supervisors came into office?—A. In the county general fund, in round numbers, there was about $13,000 in cash. There was a school debt of probably $3,000, about.

Q. What was the condition of the finances of the county when they went out of office?—A. The county was in debt, and, as near as I can come at it (no report of the treasurer having been made for a month or two before my term expired), it was between $15,000 and $20,000 that the county was in debt, as I estimated it.

Q. That was on the general fund?—A. No, sir; not entirely on the general fund. I think the county must have been in debt $12,000 or $13,000 on the general fund.

J. L. Meade (page 552), a lawyer of the county, being interrogated as to the causes of the excitement in the county, said:

Q. Was there or not much excitement during the political canvas in your county?—A. Yes, sir; a great deal of excitement; the excitement ran very high.

Q. State some of the causes which led to that, which produced that excitement in the county in the canvas.—A. The causes were numerous; it would be difficult to state all of them. One was the fear that Mr. Matthews and his crowd would continue or would get possession of the county government. Another was that we were constantly in apprehension of danger—I mean of a personal nature or character—from Mr. Matthews's language, from his threats, and from his conduct. I remember on one occasion it was currently reported, and generally believed, it seemed to me, that Mr. Matthews had instructed the negroes to attend a certain meeting that he had called in the town of Hazlehurst, and to come armed. That caused some excitement. When Mr. Burnet was shot it was stated, and came from the other side, that it was done by order of the Democratic executive committee. That created indignation, and that caused some excitement. There were various other things.

William Oliver (page 293), secretary and treasurer of the Mississippi mills at Weston, a man of great intelligence and integrity, likewise testifies among other things on this point, an extract from which is here given:

By Mr. SAULSBURY:

Q. I understand you to say that the people of that county as a general rule are as clever and worthy people as those of most any other section of the State of Missis-

sippi?—A. Yes, sir; I will tell you in regard to my opinion about them. I think like this: I have been there for thirteen years. I hope you will not consider me a ready witness, but I would like to give you a little history of my experience. For thirteen years I have been there and I have observed the politics of the county and its progress, and I know that the people have borne a great deal of bad government in that county, and they are very sore over it, and as a matter of course that makes the property-holders and better class of the people there generally Democrats. I think that is the cause of it, for with our board of supervisors, and the manipulation of our county affairs, the offices there, a great deal is involved; our assessment of taxes and collection of taxes and so on. The board of supervisors regulate all those things and the warrants and the county affairs, and a great deal is involved in that matter, and we own a great deal of property in Copiah County, and we feel an interest in having good government; we certainly do, and I think the better class of people are law-abiding. Of course, in the Democratic party, as well as in any other party in any country, they have some of the bad element. Whisky often times gets the better of them and influences them to do things they ought not to do, and under excitement at times many things are done that the better class of people do not approve. But I think the majority of them are the best element among the white people. I do not mean to say that that covers the entire voting population of the county. But the intelligent and best element are in favor of law and order. I have talked with a great many who regret anything else except having things done in a peaceable, lawful, and quiet way. This is my opinion of our people.

It is not at all surprising that the people of Copiah County, who had felt in common with the citizens generally of Mississippi the oppressions and wrongs of carpet-bag government under Ames, when they experienced again under Republican leaders manipulating the votes of ignorant negroes for selfish purposes, the exactions which robbed them of their property, should be indignant and excited, and determined, if possible, to prevent its continuance. They understood full well that the success of the Independent ticket would result in additional burdens upon themselves and further robberies of the treasury to increase private fortunes and enrich a few men, and every impulse of patriotic duty to the county as well as a just regard to self interest demanded that they should, if possible, by all fair means, prevent such a calamity. The result of the election is attributed in the report of the committee to violence and intimidation of voters on the part of the Democrats of the county; but other causes more in consonance with facts might have been found had the committee been so disposed.

The fact that the Republican leaders had sought to accomplish their purpose by attempting to transfer the members of their party to an independent organization, composed of unsuccessful chronic Democratic office-seekers, disgusted many Republican voters and induced some of them to remain from the polls and others to vote the Democratic ticket. The virtual abandonment of the contest by the Independents two weeks before the election likewise diminished the vote for that party and increased the majority for the Democratic candidates. These and other causes to which we could refer are the true explanation for the large Democratic majority in the county.

ALLEGED CRIMES.

The undersigned desire to be as respectful and courteous to their associates on the committee as a sense of duty to the Senate and the country will permit, and it is with painful regret that they are compelled to declare that the report of the majority conceals the real facts in many instances disclosed by the testimony, and seeks to impose upon the country statements not only unsustained but positively contradicted by the evidence before the committee.

In their anxiety to convict the Democratic party of Copiah County of conspiracy in the commission of murder, arson, and other crimes, the majority of the committee seem to have forgotten the obligation which

their position as Senators and members of the committee charged with the investigation, imposed upon them, to state fairly the facts established by the proofs.

THE KILLING OF THOMAS WALLIS.

In recounting the wrongs which they are pleased to charge upon the Democratic party of the county, they instance the murder of a negro man by the name of Tom Wallis, who was killed some ten days or two weeks before the election by parties unknown, but supposed to be by persons actuated by revenge for some real or fancied wrong. The killing of the man was as universally condemned in Copiah County as murders could be in any community, and no charge or insinuation that it resulted from political motives was suggested until the inventive genius of A. W. Barnett concocted and circulated the slanderous report. The grand jury of the county, a majority of whom were Republicans and Independents, fully investigated this homicide, and we give the sworn testimony of one of the members of the grand jury in reference to the facts elicited (p. 511):

S. P. BEACHUM sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Copiah County.

Q. How long have you resided in Copiah County?—A. I lack a little of being there SIXTY years. I was born there.

Q. Were you on the grand jury there at the last session?—A. I was.

Q. Do you remember what action, if any, was taken by the grand jury in reference to the alleged killing of one Wallis, a colored man?—A. Yes, sir; we tried to get at it, but we could not get at anybody at all.

Q. Did the grand jury use every effort they could to find out about it?—A. Yes, sir; we summoned everybody that we thought would know anything about it.

Q. Had you the wife of Wallis there?—A. We had; yes, sir.

Q. Did you interrogate her as to who killed Wallis; if so, state what she said.—A. I do not recollect exactly what she said; she said that she did not know any of the parties.

Q. Were any of the rest of the family there?—A. Yes, sir; she had some sons there.

Q. Did they say they knew anything about it?—A. No, sir. There was one in the house at the time it happened, but he ran out of the back door, and ran off and did not see it.

Q. They did not know, then, who the parties were who killed him?—A. No, sir; they said not.

Q. Was that grand jury composed exclusively of Democrats, or partly of Democrats and partly of Republicans, or Independents?—A. There were 5 Republicans, 3 Independents, and 8 Democrats. We have sixteen on the grand jury there.

Q. Was there any motion made in reference to the Wallis case as to whether a true bill should be found or not?—A. Yes, sir.

Q Did any of these jurors vote against ignoring the bill?—A. I think every one did. I do not think there was a man voted for it under the evidence we had.

Q. My question was, if any one of them voted against ignoring the bill? A. No, sir; I do not think they did.

Q. They all voted to find no true bill?—A. Yes, sir.

By Mr. CAMERON:

Q. Who did the grand jury summon before it to investigate the Wallis case?—A. I think we got the evidence, all we could, from the wife of the man Wallis, and then had them subpœnaed.

Q. Who did they subpœna besides the widow of Wallis?—A. We had her children, all that we could find there.

Q. Anybody else?—A. Yes, sir; we had the jury of inquest. There was a jury of inquest held, and we had those.

Q. Who were they?—A. They were black men, most of them, and some white men.

Q. Can you give the names of any of them?—A. I can give the name of one. I recollect Lewis Jackson.

Q. Do you mean to say that the grand jury came to the conclusion that it was utterly impossible to ascertain who had committed that offense?—A. We thought this, that it might come out eventually who did do it, but we could not get at it.

John B. Middleton, an intelligent farmer, residing in beat 3, in Copiah County, was examined in respect to the killing of Wallis, and gave the following account of the matter from the information he had received, saying that he had not known of anybody who believed that he was killed for political causes (p. 409):

Q. Do you know anything of the killing of Tom Wallis, or the causes which led to it?—A. I do not know of my own knowledge. Wallis was killed about 4½ miles from where I lived.

Q. Do you know the causes which were generally assigned by the community or any portion of it?—A. It is believed by many men in that country that some man went there hunting his son. There was one man at the coroner's inquest, and he said that from what his son stated he was satisfied there was a company of men there hunting him, and when they got down they asked for him, and a fight occurred in the house, a gun was fired, and the father was killed. It is believed that some one went there for him, and this old man made a fight and was killed.

Q. What did they go after the son for?—A. Well, he was a sort of bad character. One of the Matthewses here knows that his boys were all bad men; he had worked them on his contract farm. It is believed by some that he was killed on account of something else.

Q. Is it believed by anybody or by many people that he was killed for political causes?—A. I do not know of anybody who believes it. I do not believe politics had anything to do with it in the world. I know my neighbors did not believe that politics had anything to do with the killing of Tom Wallis. Tom was a quiet old man himself.

Q. He did not take much part in politics?—A. No, sir.

Q. Had he made himself offensive in politics to anybody?—A. I never heard of anything. If that be the case there was a good many who were killed. There was one killed near me a few weeks ago—a Democratic colored man—a very influential one.

Q. But not from political causes?—A. I do not think so. He was assassinated on the road-side in broad open daytime.

Q. The opinion is it was done by some private enemy?—A. Yes, sir.

Q. He was a Democratic colored man?—A. Yes, sir; his name was Kin Harrison.

By Mr. CAMERON:

Q. That was since the election?—A. Yes, sir. I do not think politics had anything to do with the killing of these colored people. I want to give my opinion on the killing of a good many of the colored people in our county. They shoot one another, fight one another, and cut one another a great deal about their women. I am satisfied that Kin Harrison was killed, but we could not prove it (we investigated it two days), that he was killed about another one's wife, but we could not prove it. I think a great deal of their cutting and shooting and difficulties occur just in that way.

We refer, also in this connection, to the testimony of James S. Sexton, esq., a prominent lawyer of Hazlehurst, found on page 575 of the printed testimony, and which will be hereafter inserted in the appendix to these views, bearing upon the killing of Wallace and other crimes (charged in the report of the committee to the Democratic party), and in which it is shown that these alleged crimes were wholly unconnected with politics, and not believed to have been political even by the parties injured or any one else until it was deemed advisable to use them in trying to make a "case" against the Democrats of the county. Yet with such evidence before them the majority of the committee to carry out the objects proposed by the investigation attribute the homicide of Wallace, as well as other crimes, to political account.

WHIPPING OF HANDY FORTNER.

Another instance of violence, which is paraded in the report of the committee as a Democratic outrage, is the whipping of Handy Fortner some ten days or two weeks before the election. This matter was investigated by the grand jury and Fortner was summoned to give evidence in the case, and said that he did not know who whipped him, but

supposed a man who had a grudge against him for reasons which he gave, yet the committee, ignoring his statement before the grand jury, cites this offense as a crime perpetrated in pursuance of a conspiracy on the part of the Democrats of the county to commit violence on Republicans to deter them from voting the Independent ticket. We give the sworn statement of Fortner before the grand jury at a time when he had not been instructed how to swear in aid of the Republican party as shown by the testimony of H. A. Earns, foreman of the grand jury:

Q. Did you have Handy Fortner before you?—A. Yes, sir.

Q. Did he give evidence before the grand jury?—A. Yes, sir; he did.

Q. Did he show his wounds?—A. Yes, sir; he was asked by some of the members of the grand jury to show where he had been shot. I examined his back myself, and he showed his back to the members of the grand jury.

Q. Did he give any evidence implicating anybody?—A. I can only tell you in his language—I can give you as near as possible what occurred. I told him after administering the oath to him—I asked him what statement he had to make, and he went on to state about an armed body of men coming to his house at night and coming into the yard, and I believe he said he slipped out of the house and got on the outside into the gallery, and they came in and took hold of him and took him out and to the woods and whipped him. I then asked him the question if he recognized any of those parties. He said that he did not; that he thought he did. I asked him if he could see their faces, or if they were disguised. He said to a certain extent they were, and that he did not know them. He stated he had his suspicions who they were. I asked him then whom he suspected, and went on and told him if he knew who it was that the members of the grand jury were not allowed to disclose anything told by witnesses, and they would regard that thing as secret, and that he could give it without any fear of anything any evidence that he might wish to. He said that he could not say who it was, but he had a suspicion; he judged from shape of form, of body, but not from feature. I asked him who he thought it was, and he said he thought it was Frank Thompson. I asked why he thought so, what brought about that conclusion, and he said that the man who took him out he thought was Frank Thompson, and the reason for thinking so was that he asked him how many wives he had, and Thompson was the only man who ever accused him of having two wives. I asked him if that was his reason, and he said yes, that was his reason, in connection with having some trouble with him in court, and he having a grudge against him. I said to him, can you say in the presence of Almighty God and in the presence of this grand jury that it was Frank Thompson that took you out and whipped you, and he said he could not. That is the sum and substance of the testimony.

Q. And the grand jury declined to find a true bill?—A. Yes, sir. I took a vote on that question, and there was not a single member of the grand jury that voted in favor of finding a bill against him.

Q. Six of them were colored men, you say?—A. Five or six were colored men.

Q. And eight of independent politics?—A. Yes, sir; including the colored men.

Q. Did you try to investigate other cases?—A. We heard of a good many cases where parties representing Democratic clubs had gone out to political speakings. We found bills and indictments against parties for carrying concealed weapons; that is there were instances where they would go to a public speaking and would pull out their pistols and shoot. We found bills against parties of that sort.

Q. Did you indict any Democrats?—A. Yes, sir; we indicted Democrats on the evidence of anybody who came before us. We endeavored to do our duty impartially and in an impartial manner.

Q. From your knowledge of that grand jury and your own disposition, do you think that bills would have been found against parties accused if they could have been identified in those cases, if proper evidence had been offered?—A. I have no hesitation in saying that every man of that grand jury would have done his whole duty under the oath that he took.

THE BURNING OF DANIEL CRUMP'S HOUSE.

Still another crime recklessly charged in the report against the Democratic party of the county is the burning of Daniel Crump's house. The committee knew at the time they signed the report that Crump had gone to his counsel and told him who burned his house, and that the reason for their doing so was a protracted lawsuit in which he was engaged with one of the men. That in consultation with J. S. Sexton,

esq., who was his counsel in his litigation, he never charged or intimated that it grew out of politics or had any political significance whatever. We shall give in the appendix the testimony of Mr. Sexton, a gentleman of great intelligence, high social and professional standing, and the strictest integrity, because it explains many things relating to matters investigated by the committee, but insert here an extract from his testimony referring to the killing of Wallis, the whipping of Fortner, and the burning of Crump's house:

Q. Do you know anything about these outrages which have been testified to; have you investigated any of those things?—A. I know that during the canvass in that county, during the session of the circuit court which met just immediately preceding the election, there was a man named Wallis killed, and I remember there was a good deal of talk about it in the town. I remember distinctly that in every conversation regarding that killing there was never one word said that connected it with politics, or with any crowd, and I know the crowd they called the mob which went down into beat 3 did not go there until a number of days after Wallis had been killed, and I know it never had any political significance.

Q. Did any Independent or Republican charge it?—A. I do not think any Independent or Republican living ever thought, or thinks now, that that was the case.

The CHAIRMAN. I think that is going rather far.

The WITNESS. I heard the matter discussed constantly about the killing of Wallis there, and heard it denounced as an outrage, but I never heard any man say that it had any political connection whatever. I have heard it was connected with a lawsuit in which gentlemen there are interested. Then, about the burning of Daniel Crump's house, I have been astonished to see attempted exaggerations of these offenses. Some of them are bad enough as it is without exaggeration. The burning out of Crump had no more political connection than a fire here in town would have to-night. Mr. Conn on the one side and myself and Mr. Miller on the other side were representing Daniel Crump in that lawsuit, which carried with it considerable feeling, and in which there was more interest taken than had been shown in a long time in a lawsuit in that county, and quite a number of witnesses had been examined, with a large record taken in the chancery court, consuming really half of this last summer. It was a heated contest between litigants there; and incident to that suit that was pending was another suit involving the question of title to some land on which this Crump lived that he had purchased from Mr. Littlee. Crump came to me after this burning occurred and told me just in so many words (whether it is true or not I am not prepared to state) that it was Aleck Little and Tom Norman who did it, Little being the man with whom he had the litigation, and Norman his brother-in-law and the trustee in the deed of trust we had attempted to keep from having enforced on his property; that they were present in his yard shooting at him that night when he ran out and saw those men there. And I know as well as I live that that had no political connection.

Mr. JONAS. Did Crump believe it had any?—A. No, sir; he did not believe it. He consulted with me frequently. I took a list of the witnesses. They are in my office to-day, and the district attorney and I have talked about it, and about its being a great outrage that should be punished in that county.

Q. Has Crump consulted you about it?—A. Yes, sir; frequently. I think I was at Louisville or Cincinnati at the exposition when this occurred, and when I came home—no; it was later than that; but I was present when Crump came in to make out this affidavit. The first I knew of it he came to me to prosecute these men, and it is a charge, which if a man is convicted of, he has to suffer death. I asked him what was his ability to pay a fee. During this long contest he had not paid us a cent. I thought it was a considerable undertaking to prosecute men there for their lives, and I thought he had no means that he could pay a fee with, and I told him that the magistrate could only commit him, and I was satisfied that he would do his duty in that regard, or it would come up before the next meeting of the grand jury, who could investigate the case fully, and I was satisfied that Mr. Miller would do his full duty in the investigation of that case. I know Crump never said a word about its having political connection whatever. Now, about the case of Handy Fortner. No man I have ever heard mention it has ever spoken of it as being connected with politics in any manner whatever. These are three cases I remember.

Q. Was not Fortner engaged in litigation with the man he suspected of doing it?—A. Yes, sir; that is my understanding, from conversation I had with him about it.

Q. From all you have heard from the witnesses here, and all you know of your own knowledge, as a citizen of Copiah County engaged in this canvass, do you believe that these cases grew out of politics?—A. No, sir; I do not; in fact, I have every evidence that they did not. These cases I have mentioned were not connected with politics in any way whatever.

The following extract from the testimony of Mr. Dodds throws much light upon this and other matters under investigation (see page 491):

Q Is it or is it not believed in Copiah County that the offenses which have been spoken of here, the whippings and burnings, the killing of Tom Wallis, &c., were not the result of political excitement or promoted at all by politics, but the acts of individuals who took advantage of the excitement upon political subjects in the county to vent their spleen and spite on these individuals?—A. There is no question that quite a number of these acts of lawlessness which have been detailed here grew out of a state of affairs just such as I feared would arise under that resolution, and just such as Mr. Gail Matthews afterwards stated did exist. The killing of Tom Wallis occurred to the best of my recollection some three weeks before this political excitement ran so high, and at that time I do not think it was thought by but a few people that it had any connection with politics. It was generally represented that it grew out of some little lawsuit they had down there, some little individual trouble. The burning of that man Dan. Crump's house, I think I can state positively from my connection with a case between that man and other parties there, had no connection whatever with politics. And, as your question suggested, in my judgment, quite a number of those acts of violence were committed by persons who took advantage of the political situation to vent their personal spleen against these parties, and while they may have represented themselves as belonging to this crowd or mob, as it has been termed, down in beat 3, I feel assured that, in several instances where parties were whipped there and even shot, that that crowd, bad as it has been represented, had no connection with it; that it was parties who were taking advantage of their presence down in that country to vent their personal spleen against those parties. I want to state another thing, though. Some time after those resolutions had been passed, Mr. Gail Matthews, whom I had conversations with, came to Mr. Sexton and myself, at Mr. Sexton's office and told us and related to us the circumstance of this man whom they charged with burning their father's gin. He said on his way to town he had met this man in the swamp, and that the party had taken advantage of these resolutions now to abuse and villify him, knowing that his hands were tied, or believing that they were tied, and if they should do him bodily harm, that under those resolutions the Democratic party would take it up and make him suffer the consequences. He furthermore said to us that there were several of his personal enemies down there that were doing the same thing; they were taking advantage of those resolutions to wreak their vengeance against him personally, and he appealed to us to know if we could not in some way stop it. Mr Sexton and I told him that we felt powerless in the matter; that men who were mean enough to take advantage of a thing of that kind were beyond the influence of anybody. One of them was a man who used to be with the Independent party; he was the chief of the Independents or Republicans, or whatever you call them, had been manager for Mr. Gail Matthews down on his convict farm, but they had fallen out and became deadly enemies. He said that man had taken advantage of it and was goading him and disturbing his labor down there; had met one of his negroes in the lane and had given him so much time to get away from there; and he came and asked us if there was not some way to stop that thing; that if there was not he would have to abandon his property. Mr. Sexton and I told him if we could devise any means whatever to reach these difficulties he was complaining of we would certainly do it; that we thought it was a great outrage and ought to be stopped; it would be ruinous to the labor system there, aside from the lawlessness of the conduct.

Q. Did Mr. Matthews attribute the interference with his labor on the part of those persons to political animosity or to private grievances they had?—A. He said they were personal enemies of his who were taking advantage of the political attitude of affairs at that time to wreak their personal vengeance on him.

Q I ask you if you and Mr Sexton and other good people would not have exerted all the influence you had to protect him in all his just rights?—A. Yes, sir, we would, and so told him.

SHOOTING OF BURNET.

The undersigned will now call attention to the statements made in the report of the committee in reference to the shooting of one A. W. Burnet by a man by the name of Charles Hart. The statement of the committee is the version of Burnet himself of the affair, with the usual variations from the facts so noticeable throughout the entire report. The committee, in order to give weight to the testimony of Burnet, not only on this point but others in relation to which he testified, become volunteer indorsers of his character and standing in the community in

which he resided. This, perhaps, was a duty which the committee felt that they owed him for the services rendered in originating and prosecuting the investigation. A brief statement of those services may, perhaps, be proper as explanatory of the eulogy pronounced upon the witness by the committee. A. W. Burnet had resided for some time in Copiah County, and had claimed to be a Democrat, but failing to secure the recognition which he desired in the last canvass became an Independent. He was a lawyer by profession, but Judge Wharton, in his testimony (page 442), says: "As to his professional character, his character for legal learning, I think he has none, or as little, perhaps, as any member of the bar in my district with the bench and bar." And again: "He had but one case of any importance in court that I recollect, or ever had one." After the election, some time in December last, he came to the city of Washington, doubtless for the purpose of securing a Federal appointment of some kind, and to aid his enterprise by proclaiming himself a martyr, on the 29th of the same month he caused to be published in the National Republican an interview setting forth his own grievances and various acts of cruelty which he said had been committed by the Democratic party. His interview embodied the allegation of crimes found in the report, and was, in connection with other statements made to members of the committee, the basis of the investigation. He accompanied the committee, without expense to himself, to New Orleans as their guest in the private car paid for by the Government, and became not only a prosecuting witness but one of the advisory counsel of the committee during the investigation. He narrated in his testimony with great particularity and no little amplification the stories of outrage and wrong recited in his "interview" published in the National Republican, but was compelled to admit, upon cross-examination, that with the exception of his difficulty with Hart nearly everything he related was hearsay and not matters within his own knowledge. His character for truth was greatly damaged by the testimony of several witnesses, some of whom declared that they would not believe him on oath, and others, while hesitating to express themselves decidedly on that point, showed very plainly that they had not a very high appreciation of his character. (See testimony of Judge Calhoun, page 471; L. F. Chiles, page 515; G. S. Dodds, page 502.)

The report of the committee represents that Burnet was waylaid by Hart and eight Democrats, and shot by Hart. A more unwarranted statement, so far as it relates to his being waylaid by anybody, was never made, and the accusation against eight Democrats, or any one Democrat except Hart, of complicity with the affair, illustrates the reckless character of many statements in the report, which, if unprotected by the shield of Senatorial authority, would furnish a good cause of action for slander by the parties defamed. The facts are simply these: Several gentlemen happened to be standing on the street in front of the hotel, among them Mr. Hart; when Burnet came along some words passed between the two men, and Hart, according to Burnet's statement, called him a "damned liar," whereupon Burnet made at Hart with his "dirk knife," and Hart ran, and Burnett ran after him, and struck him with his dirk knife, and cut his clothes; Hart then drew his pistol, and turned and shot Burnet. This is the whole affair; according to Burnet's own statement, no one of the other persons done or said anything showing complicity with the affair. Upon this state of facts it is heralded to the world that Burnet was waylaid by Hart and eight other Democrats and shot. Burnet remained with the com-

mittee, when in New Orleans, and returned to Washington in their car hired by the Government, and has since, we are informed, received the "martyr's crown" in the shape of a Federal appointment.

WALLACE GILLMORE.

The committee embodies in their report an account of indignities alleged to have been perpetrated on a negro man by the name of Wallace Gilmore. It is not alleged that he was injured in person or property, but visited by "the procession" and greatly annoyed in the manner described in the report. The account of this visitation is based solely on the statement of Gilmore himself, and the undersigned are not a little surprised that any reliance should be placed upon anything he said. The negro was so drunk when he was examined by the committee that he did not know what beat of the county he lived in, and no court of the country with any regard to its own dignity would have permitted the man to have testified while in such a state of intoxication. The report does not describe his manner or quote his language entire while giving his evidence, doubtless because his style was comical and his language profusely profane. The vulgarity and profanity of this drunken witness was disgusting, and certainly no reference would have been made to him or his statement in the report had he not been relied upon to prove that J. P. Matthews was to be killed. An examination of his testimony will show its incredibility and will excite surprise that the least importance could be attached to it by a Senatorial committee fully conscious of the man's condition when it was delivered, and necessarily aware of its utter unreliability in every particular. (See his testimony pages 215, 216, 217.) The undersigned have not time to refer in detail to all the statements of violence and wrong recounted in the report. An analysis of several of the instances cited would show that if they are not wholy incredible, they are wonderfully magnified and colored, both in the testimony and the report. They desire, however, to call attention to the fact that although every instance of insult or injury to person or property which occurred in the county from any cause are narrated with amplification and embellishments and are attributed to political account almost every occurrence given happened in beat 3 of the county; it will be found also, by looking into the statements given by parties testifying to wrongs and threats to themselves and to the apprehensions thereby excited, that most of them went to the polls and voted at the election notwithstanding their intimidation. This fact is so inconsistent with the expressions of fear drawn from the witnesses by inquires for that purpose that the tales of wrong will be taken with proper discount by impartial and fair-minded men, notwithstanding the inflated importance sought to be given them by the report of the committee.

That some indignities and injuries were inflicted upon a few colored men in beat 3 just prior to the election we do not doubt, and that in some instances these indignities and injuries were inflicted by thoughtless and lawless men, with a view to intimidate and prevent the persons injured from voting the Independent ticket, may also be true, but that any large number of such cases occurred we do not believe, nor do we believe that such wrongs were either known to or approved by the great body of white men resident in that locality or in Copiah County; and the attempt to connect an entire community with lawless deeds, and to charge complicity with crime on innocent men with a view of thereby promoting party interests, is equally culpable and reprehensible as the crimes alleged to have been committed.

J. P. MATTHEWS.

Several pages of the report of the committee are devoted to the life, character, and death of J. P. Matthews, who was shot and killed by one Erasmus Wheeler on the morning of the election. The undersigned would certainly allow, without comment, any eulogy upon the deceased, however highly colored, which partisan zeal could suggest, if the tribute was not inspired by a purpose more sacred to the hearts of the eulogists than the perpetuation of the memory of the man. It is with the most sincere reluctance that we are compelled, even in justice to truth, to say aught that may seemingly reflect upon the character of Mr. Matthews. The labored attempt, however, of the committee to fasten his killing on the Democrats of Copiah County will not only justify, but demands that the truth shall be stated, not for the purpose of reviving unsavory memories of the deceased, but for the vindication of the living who have been wantonly, unjustifiably, not to say malignantly, charged with complicity in a crime of which they are as innocent as the men who signed the report. The undersigned have no word of excuse or palliation for the crime of Erasmus Wheeler, nor any sympathy with the criminal act with which he is charged. On the contrary, so far as they are informed of the character of the offense, they hold both him and his act in utter abhorrence and detestation. How far the accusation of complicity with his crime, deliberately brought and published to the world for political effect against the whole body of Democrats of Copiah County, falls in criminality below his act, we shall leave to the future reflections of those who make it to determine.

Erasmus Wheeler and J. P. Matthews were both citizens of Hazlehurst, and according to Wheeler's statement to Dr. Pitts, were on friendly terms. On the Saturday night preceding the election affidavits were made by one of the brothers of Matthews and another man, at the instance, as was reported and believed, of J. P. Matthews (who was present), for the arrest of several persons, including Wheeler, and warrants of arrest were issued thereon. Wheeler and Matthews met on the morning of the election in the room where the election was to be held and had some conversation in an undertone not heard by the officers of the election present in the room. No other persons were in the room, the doors of which were closed. Matthews and Wheeler separated and the former had just deposited his ballot, when Wheeler, who was some distance from him, fired a gun, which had not been seen by the officers of election, and Matthews fell mortally wounded. A pistol was found at his side, which was proved to be his own; but whether it fell out of Matthews's hand or his pocket no one present was able to say.

Wheeler avowed his act and delivered himself up to the sheriff, and was held by the mayor in a bond of $5,000 for his appearance at court. Wheeler was indicted at the next term of court for murder by the grand jury of the county, refused bail and put upon trial, and the undersigned are informed, on the plea of self-defense was acquitted at the trial. The undersigned know nothing of the evidence produced before the court on the part of the defense, and have expressed their opinions of the offense solely on the statements detailed before the committee. Assuming, however, that the homicide was deliberate murder, the crime was that of Wheeler alone; no one, so far as the proof shows, knew of his intention or abetted his act. He confessed the killing, but implicated no one as accessory before or after the fact, and there is no evidence, circumstantial or otherwise, which justifies a rational belief of complicity on the part of any human being with the transaction.

The committee undertake to find authority for their accusation against the entire Democratic party of the county from what a drunken man in the street-cars in Jackson pretending to personate Wheeler said. The drunken man was unknown to the witness who testified to his maudling utterances, and there was not the least ground to believe that the man was Wheeler even if the witness himself was to be believed. They also quote an expression of Wheeler's to Dr. Pitts that it fell to his lot to do what he did, which was sought to be construed as a declaration of Wheeler's that by casting of lots it fell on him, but they conveniently omit the published statement of Dr. Pitts to be found on page 609 of the testimony denying that Wheeler's language or his own testimony was intended to convey any such meaning. The fact is the investigation started out on the theory that political capital could be made for the Republican party by charging the commission of crimes of whatever character in Copiah County to political account, and that the whole Democratic party of the country was responsible therefor, and no evidence is required to sustain that theory by those who conceived it and no amount of proof to the contrary is sufficient to overthrow it in their estimation.

The statement of Wallace Gilman, the drunken negro to whom reference has been heretofore made, is also cited by the committee to prove a conspiracy on the part of the Democrats of the county to kill Matthews. On the incoherent utterances of a drunken negro too ignorant if he had been sober to understand fully the obligation imposed by the oath he had taken, and so intoxicated at the time he testified that the committee ought not to have allowed him to be sworn, the white Democrats of a whole county are arraigned before the country in a written report of one of the standing committees of the Senate as coconspirators to commit a deliberate murder. If the committee themselves believe it it only illustrates the irrational credulity of which men in exalted stations may become the victims as well as others.

In order to show the enormity of the crime which they recklessly impute to the Democratic party of Copiah County the committee in their report dwell at great length on the high character and many virtues which they ascribe to Mr. Matthews. His character, whether good or bad, could neither increase nor diminish the heinousness of the offense if he was murdered nor affect the crime of the Democratic party of the county if guilty of a conspiracy to effect that end.

The undersigned had no disposition to enter into such a field of inquiry and would gladly have avoided a duty so disagreeable if it had not been forced upon them by the committee in the purpose evinced of impressing the country with the magnitude of the crime with which it is sought to connect the Democratic party of Copiah County. Mr. Matthews like all others had his faults as well as virtues, and they were as marked in his character, according to the evidence, as that of most other men. He possessed some traits of character which endeared him to those who were his friends, and others well calculated to provoke and irritate those who were not. He was at times kind and generous, and frequently violent and vindictive; he was said to be inflammatory in his public speeches, and denunciatory and threatening in his private utterances. He carried arms upon his person, and was regarded by many (as several of his brothers were) as ready if not eager for a fray. In a community where concealed weapons are generally carried by all classes, notwithstanding the laws of the State prohibit the practice, it is not strange that homicides occur, for unfortunately the reason of man does not at all times control the passions which the friction and antagonisms of life sometimes excite.

Although there was, so far as the undersigned are informed, no justification or excuse for the killing of Mr. Matthews by Wheeler, he was, from the character given him by witnesses, just such a person as would be likely to come into collision with others sooner or later that would end seriously if not fatally. His unpopularity was ascribed by witnesses to various causes—irascibility of temper; brooking no opposition; violent and denunciatory language toward political opponents; controlling through the supervisors under his influence the selection of grand jurors with a view of securing the indictment of persons opposed to him politically, and protecting those who followed his leadership; and the management, through the same supervisors, of the financial affairs of the county to the detriment of the people and the advancement of his private interests as a speculator in warrants were some of the causes which rendered him unpopular with a large class of the citizens of the county. In 1875, during a heated political canvass, he issued and circulated an inflammatory circular assailing the character of a number of prominent Democrats, among them Benjamin King, who was at that time a leading Democrat. Subsequently he acknowledged that the circular was "a pack of lies," and that his purpose in issuing it was to get up a difficulty with Ben King and his Democratic friends in that county. That King was to attend at one of the precincts of Copiah County, and if he took up the circular and got into trouble with him he intended to kill him and every white man in the county. That he had five hundred negroes well armed and had armed eighty of them himself. (See testimony of E. G. Wall, page 463, &c.) Extracts from the testimony illustrative of the character of Mr. Matthews is here given, and the circular referred to is appended to their views.

Hon. T. J. Wharton, judge of the ninth judicial district of Mississippi, embracing Copiah and three other counties of the State, an able jurist and a man of the strictest integrity and honor, testifies as follows (see page 438):

By Mr. SAULSBURY:

Q. I will now repeat the question which I propounded. Has it or has it not been a general complaint in Copiah County that all the grand juries of that county had been manipulated for the purpose of prosecuting political opponents?—A. I answer your question in its terms; it has, very earnestly and very emphatically.

Q. I want to follow that with another question. Has it not been generally asserted and believed that it was through the influence of Mr. Matthews that the grand juries were thus manipulated?—A. Whether with or without foundation I know not, but he was represented to me as the controlling spirit in the matter. I did not know Mr. Matthews personally, and had never seen him in my life to my knowledge until that term of the court.

Q. Had you or had you not an interview with Print Matthews in Hazlehurst some short time before the election?—A. The last term of the Copiah court began on the fourth Monday of October last, which I believe was about the 24th day of the month. The election occurred on the 7th of November succeeding. I had concluded the labors of the court—the entire docket, civil and criminal, with the exception of the class of cases in which Mr. Miller, then a candidate for district attorney, and actively engaged in the canvass, was counsel. It had been agreed between him and opposing counsel that those cases, with the permission of the court, should stand over until after the election, to enable him to devote his whole time to the canvass. Accordingly on the Thursday evening preceding the election on the following Tuesday, the grand jury having concluded their labors and made an official report, they were discharged for the term. It was then about dusk. The court adjourned over until the following Wednesday morning, when it would meet only to consider Mr. Miller's cases. Passing from the court-room, which was above stairs, two men stood midway of the staircase. Getting nearer to them I saw that one was Mr. Gall Matthews, a brother of Print Matthews, and the other was a man by the name of Thompson. As I got up to them the first word I heard passing between them, and they were standing almost in contact, was this: With his finger almost thrust into Mr. Matthews's face, and with a most threatening demonstration, Mr. Thompson said, "Go slow, sir; go slow, sir!"

with the finger almost thrust into the face of Mr. Matthews, "Go slow, sir!" His whole manner was so threatening and so violent that it caused me to say instantly, "I arrest you both; there shall be no disturbance here!" They separated.

By the CHAIRMAN:

Q. What Mr. Thompson was that?—A. I did not know the man. I learned that it was Mr. F. M. Thompson. He had been pointed out to me in the court-room as a witness in a case. The parties separated, Mr. Matthews going up into the court-room and Mr. Thompson following me down the stairs. He said, "Judge, I am not responsible for the altercation between that man and myself. Passing him, I spoke to him politely, and he insulted me, as you heard." That was all that I recollect. We separated. That night, an hour or two, perhaps, after that time, Major Foote, the district attorney, and myself, who occupied the same room at the hotel, were standing upon the street near the hotel with a party of friends, and Print Matthews passed and called Major Foote aside. He quickly returned and said to me, "Mr. Matthews wishes to see us at our room."

Q. Who did he call aside?—A. Print Matthews passed and called Major Foote, the district attorney, aside. Major Foote quickly returned and said to me, "Mr. Matthews wishes to see us at our room." Entering the room, I observed that Mr. Matthews was under a high state of excitement. Major Foote lay down upon the bed. Mr. Matthews drew up a chair near to me. He said: "Judge, I am very sorry that you witnessed the altercation upon the stairway between my brother and Mr. Thompson." I replied: "I am very glad I did; I am quite sure that I saved the life of one or both by instantly ordering them under arrest." Mr. Matthews said that Mr. Thompson, in company with an armed posse, all disguised, went to the house of a peaceable, unoffending negro man—whose name, if he gave it, I do not recollect—at the hour of midnight, and murdered him in cold blood one night last week. "And now I have information that another armed body of men will leave this town to-night on a similar marauding or murderous expedition." Said I: "Who are they, Mr. Matthews? Give me their names and I will immediately dispatch the sheriff with a posse in pursuit of them, with a warrant for the arrest of every man of the party, let him be of what race or political party he may." He said that would amount to nothing; that the sheriff would probably decline to execute the process; that the matter had been brought to the attention of the grand jury before its adjournment and they had taken no action upon it; that it was in vain to appeal to the officers of the law for the protection of himself or any of his family or party; that there was a conspiracy, as he believed, to murder him and his brothers, or members of his family, and all for a mere honest difference of political opinion; that he had had four uncles murdered in cold blood, but that the death of the last one of them had been avenged; that on taking leave of his two sons, who went off to the university at Oxford a few weeks before, holding their hands in his and with tears in his eyes, he said to them: "My sons, I know not at what moment you will be summoned home to avenge the assassination of your father." And they replied, with tears in their eyes, that they would be ready to obey the summons. "Now," he said, "when this crisis is forced upon us, and my family are to be exterminated—we who have lived here all our lives and have all our interests here—there are three or four men I would like to kill (not naming them) and then I would never lay my head upon a pillow nor sleep beneath the roof of a house while I live, but accept it as a declaration of war against my race and my family; I would proclaim war myself against the human race, and go to the woods and be a wild man."

Q. Do I understand you that this is what he said to his sons, or that the part about their coming, when they were summoned ended it?—A. I am repeating the conversation. It made such an impression on my mind that I could repeat it the same as if it had been taken down by a stenographer.

Q. I ask you where what he told you about his sons stopped?—A. They were going off to Oxford University a few weeks before, and with tears in his eyes, he said to them: "My sons, you do not know at what moment—I do not know at what moment—you may be summoned home to avenge the assassination of your father," and they replied, with tears in their eyes, that they would be willing to obey the summons.

By Mr. JONAS:

Q. The balance or remainder is what he said to you?—A. Yes, sir. I then said, "Mr. Matthews, I am astonished at what you say. You have come here professedly in the interest of peace, of law, and of order, to consult the judge and district attorney in reference to abuses and violations of law threatened or committed, and when asked to give the names of the parties you decline to do so, and say that if process were issued for them the officers of the law would not discharge their duty; and it seems to me you utter the most violent and incendiary language I have ever heard from human lips. I implore you to desist. It is such language, repeated upon the one side or the other, which may precipitate a conflict in Copiah County, the result

of which no man can foresee. The public mind is in a very high state of excitement. We are passing through a very bitter political contest. The passions of men on both sides are sufficiently aroused and all good men ought to make an effort to allay them." The interview ended there. Major Foote was the only other witness.

Hon. L. E. Cooper, one of the judges of the supreme court of Mississippi, testifies to a conversation he at one time had with Mr. J. P. Matthews, from which we take the following extract. (See page 451:)

Q. Did you know J. P. Matthews and his brothers well?—A. Yes, sir; I did.

Q. What was the general character and reputation of J. P. Matthews and family in the county and in the community for peace and quiet and the observance of law and order; were they peaceable men or otherwise?—A. Some of the Matthews brothers were considered violent men and not peaceable. I think Mr. Leon Matthews was considered a quiet man.

Q. How was it with J. P. Matthews?—A. J. P. Matthews was a passionate man, and disposed to be overbearing and dictatorial. I do not know that I ever heard of any great number of difficulties that he was engaged in, but I know that he was considered a dangerous man, a passionate man.

Q. Had he the reputation of generally carrying arms and being ready to fight?—A. Yes, sir; I think he generally carried arms and was ready to fight.

Q. Was he a man using generally language calculated to inflame the people in the community in which he lived and to stir up discord among the people?—A. Yes, sir; politically. Politically he was an exceedingly violent man.

Q. Did you ever hear of Mr. J. P. Matthews making any threats against yourself or Judge Mayes?—A. Yes, sir; I heard of Mr. Matthews making threats against Judge Mayes and myself in the canvass of 1875. Judge Mayes and Mr. Matthews married sisters. That year I was chairman of the executive committee and Judge Mayes was a member of the executive committee. During the progress of the canvass we were informed that Mr. Matthews (or I was so informed) had made some threats. I remember that Judge Mayes and myself talked the matter over, and we concluded that we ought to arm ourselves, not so much against Mr. Matthews, not altogether against Mr. Matthews, but that we ought to arm, and we made arrangements to get a couple of pistols, but we did not get them; at least I did not.

Q. Was that because of these threats of Mr. Matthews?—A. It was because of those threats and other matters. I heard that Mr. Matthews had said that he expected to be killed during the canvass, and that some sort of responsibility would rest on the executive committee. He made charges that the executive committee intended to have him killed. I asked him about it, or took him up in some way in the court where he was, and he said yes, he expected to be killed; that he thought we wanted him killed, and that he had determined not to die unavenged, or if he did die that he should not be unavenged. He told me that he had by his will provided that $10,000 should be set aside and employed in the procuring of assassins to assassinate Judge Mayes, Captain Harris, myself, and some other gentleman whose name I have forgotten, if I ever knew who the fourth man was.

Q. In case he should be killed?—A. Yes, sir.

Q. He told you that personally?—A. Yes, sir; he told me personally. He told me that while he expected to be killed some day that his brothers would avenge his death; that they had a family compact by which his death was to be avenged.

John Fore, a nephew of Mr. J. P. Matthews's wife, who had boarded in his family, and acted as his deputy when he was sheriff of the county, says in reference to the character of J. P. Matthews and his brothers, on page 602:

JOHN FORE sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live in Lincoln County, Mississippi.

Q. Did you formerly live in Copiah County?—A. Yes, sir.

Q. Are you a native of that county?—A. Yes, sir.

Q. Are you connected with the Matthews family in any way?—A. I am a nephew of Gall Matthews and Print Matthews, by marriage.

Q. A nephew of their wives?—A. Yes, sir.

Q. Were you a deputy sheriff for Print Matthews when he held office?—A. At times, when I was living with him, I served as his deputy.

Q. You knew Mr. Print Matthews very intimately?—A. Yes, sir.

Q. You have been with him a good deal during election times?—A. Yes, sir.

Q. What was his character? Was he a peaceable or violent man in his disposition, as far as political matters were concerned?—A. I do not think he was.

Q. You do not think he was a peaceable man?—A. No, sir.

Q. Was he what you would call a violent man?—A. Yes, sir; I should say that he was.

Q. Was he in the habit of uttering threats against people with whom he was at political enmity?—A. Yes, sir.

Q. Was he an imprudent man in that way?—A. Yes, sir; very imprudent.

Q. Was he a man who was in the habit of cursing and denouncing his political opponents or other enemies?—A. Yes, sir; he was.

Q. Was he a man who was in the habit of going armed?—A. Yes, sir; he carried arms.

Q. Was he what you would call a determined and desperate man in case of personal quarrel or difficulty?—A. Yes, sir.

Q. Have you ever heard Print Matthews make any threats in case he or any of his family were hurt; and, if so, what?—A. Yes, sir; I have heard a good many threats that he had made.

Q. Mention some of them.—A. I have heard him abuse the Democrats and curse them.

Q. Did you hear him say that if any of his family were hurt he would kill Democrats, from the cradle up?—A. Yes, sir; I have.

Q. By way of vengeance?—A. I do not think he could have actually meant that, for he was a man that when he would get in a passion would go on and curse and swear right smartly. I heard him say those things in the presence of his family. I was at his house at the time. About the time that he said that he was fixing up a circular that he was proposing to put out; I think it was about Mr. Mayes and Mr. Frank Thompson and, may be, one or two others.

Q. What year was that; do you remember?—A. I do not know; I have not thought much about it. I think it was somewhere along about 1875. I do not know, but I have seen the circular.

Q. Was it the circular in which he attacked Ben King and others?—A. Yes, sir.

Q. Have you heard him make such remarks since then?—A. I do not know positively that I heard him make such remarks as that. I have heard him go on and curse and abuse the Democrats pretty severely.

Q. Would he curse and abuse individual Democrats?—A. Yes, sir.

Q. And do it sometimes to their faces?—A. Yes, sir.

Q. Was he in the habit of keeping many arms at home, do you know?—A. I have seen a good many there about his house—pistols.

Q. Not guns?—A. No, sir; I do not believe I have ever seen a shotgun in his hands. He kept two pistols himself—Derringers—that he carried with him in his pants pocket all the time. I was with him a good deal, and boarded with him. I have seem him put them in his pocket; one in each pocket, and I have seen him with them often.

Q. Do you know the other brothers of Mr. Matthews?—A. Yes, sir.

Q. State whether or not they are men of the same character.—A. Yes, sir; they are of the same character; I do not believe that they are quite as dangerous as Print Matthews was. I have had difficulty with them all, but I consider Print Matthews worse than I do the rest.

Q. But you consider them all violent men?—A. Yes, sir.

Q. Were they all men who were in the habit of carrying arms?—A. Yes, sir.

Q And men ready for a fight?—A. Yes, sir.

Q. Apt to quarrel with people?—A. Yes, sir.

THE RESOLUTIONS OF THE MEETING AT HAZLEHURST.

On the day after the killing of Matthews rumors were rife in the town of Hazlehurst that the friends and relatives of the deceased were about to put into execution his oft-repeated threats that his death would be avenged. An intense excitement pervaded the community, under the influence of which a meeting was held and passed resolutions, which met, as they deserved, the unqualified condemnation of the people of Copiah County. No one of unprejudiced mind who listened to the witnesses on this point can for a moment believe that these resolutions expressed the general sentiments of the people there. In the language of one among many of the witnesses on this point:

A majority of the people of that county do not indorse these resolutions. * * * They do not express the feeling of those men who passed them there under any ordinary circumstances. * * * When men are excited and stirred up, their fears aroused, and they are prejudiced to some extent, they will sometimes do things that in cooler moments they would not think of doing.

Reprehensible and indefensible as these resolutions are they do not justify the inferences which the majority of the committee seek to draw from them, nor the accusation against the people of an entire county of which they are made the basis. Their object was to prevent the execution of the threats above alluded to, and to stop the further effusion of blood, and this object they accomplished.

RESULT OF THE ELECTION.

The result of the late election in the county, in favor of the Democratic ticket by a large majority, is attributed in the report of the committee to the violence and crimes charged in the report to that party. We do not doubt that to a limited extent the election was effected in one or two precincts from apprehensions of trouble growing out of the excitement attendant upon a heated contest. The death of Mr. Matthews on the morning of the election also, perhaps, had a discouraging effect upon his party in the town in which he lived, but at almost every other precinct the election was quiet and orderly, and no disturbance of any magnitude occurred. The testimony of several witnesses disclose the fact that the Independent party virtually abandoned the contest two weeks before the election, holding no meetings, which naturally discouraged their voters and abated their zeal, and led, perhaps, to some of them voting the Democratic ticket. Again, it is in proof that some of the Republicans, dissatisfied with the attempt of the leaders to take over the Republican vote to the support of candidates that had formerly been Democrats and chronic office-seekers in that party, and also were not men of very high character at any time, and still claimed to be Democrats, either remained from the polls or voted the regular Democratic ticket. These facts account largely for the increased Democratic majority, and there is no doubt that if there had been no excitement from any cause the Democratic candidates would have been elected at least by the usual majority.

The preamble to the resolution directing the investigation and the report of the committee charge in substance that the authorities of the State failed in their duty in maintaining "the equal enjoyment of civil and political rights", but contributed to their overthrow. Nothing could be more foreign to the fact, as is shown by the testimony of Judge Wharton, page 436, the testimony of Mr. Earns, foreman of the grand jury, page 293, &c., the testimony of Sheriff Hargrave, page 565, &c., and that of other witnesses who were examined.

We do not deem it necessary to notice further this and many other unsupported statements promulged to sustain the theory upon which this investigation was commenced. The whole investigation, as shown by the manner in which it was conducted, the suggestive questions propounded to witnesses who were summoned to testify against the white people of the county; the discredit, not to say disrespect, manifested toward witnesses who testified to facts opposed to the theory of the investigation, as well as the gross perversion of facts discoverable throughout the report, show conclusively that the purpose and aim of the inquiry has not been to ascertain the truth but to make a political campaign document and furnish matter for inflammatory stump speeches in the coming canvass. Nothing could be allowed to obstruct the accomplishment of this purpose. Neither private character nor the reputation of a whole community has been deemed too sacred for sacrifice to such an object.

REMEDIES PROPOSED IN REPORT.

The committee propose as remedies for the great wrongs they unjustly impute to the Democratic party of Copiah County three things:

First. The publication for the information of the American people of the testimony they have taken.

Second. The passage of Senate bill No. 15, known as the Edmunds bill.

Third. An investigation of the condition of things in Mississippi after the next election.

In reference to the first recommendation the undersigned have only to say that the publication of the testimony taken by the committee will follow, of course, but that it can give to the American people any valuable information we utterly deny, unless it be such as will confirm the conviction which they already entertain that the purpose of the investigation was to furnish stories of violence, outrage, and wrong to be used in the approaching Presidential canvass.

The Edmunds bill, No. 15, will be fully examined when it comes up for consideration in the Senate, and its provisions need not therefore be here discussed; but the recommendation of the committee will, we are sure, neither add a single vote in its favor in the Senate or commend it to favorable consideration in the country.

The bill referred to contains no provisions, so far as we can understand them, applicable to the occurrences under investigation. Its entire scope seems to be to transfer the whole domain of municipal law from the State courts to the Federal courts in all cases where a person of color may be brought in either as a party litigant or a juror or a witness. The recommendation of that bill, with the manifest certainty of its not becoming a law by this Congress at least, is a confirmation of the party purposes which this entire proceeding is designed to subserve.

The recommendation that there shall be a full investigation of Mississippi, with a view to its disfranchisement in whole or in part after the next Presidential election, unless the same shall be unquestionably fair and free, is obviously intended as a menace to that State to deter its citizens from casting its electoral vote contrary to the party which the majority of the committee represent. They deny that any election which is not favorable to their own party is either fair or free—certainly not unquestionably so—a more flagrant and abhorrent attempt to bulldoze an entire State by threatening to disfranchise its people and to destroy its autonomy cannot be found in the annals of constitutional government.

The people of Mississippi doubtless have a just apprehension of partisan investigations, which are generally nothing more or less than public scandals, from which any community might desire to be exempt, but we know of no reason why they should shrink from a fair and impartial inquiry into the condition of affairs in the State, unless, indeed, it be the reflection that Congress could be more appropriately employed in attention to its own legitimate business. One of the objects proposed by "an investigation" after the election, stripped of disguises, is plainly foreshadowed by the committee, namely, a desire to curtail the representation of the State in Congress and in the electoral college.

The adoption of the fourteenth amendment to the Federal Constitution increased the representation of Mississippi and other States having large negro populations both in Congress and in the electoral college, and gave them a political power greater than that before possessed. This result was doubtless anticipated by the men who proposed and

favored the adoption of that amendment, but they expected by the aid of the newly enfranchised citizens to control those States, and thereby establish their party permanently in power in the Government. Now, when they see that the result anticipated will not be realized, and that the increased political power conferred by that amendment upon the Southern States may contribute to the defeat of their party in the control of the Government, they would doubtless gladly nullify the effect of that amendment and find some excuse for depriving not only Mississippi but other States of the increased representation to which they are now entitled.

The undersigned would inquire, Why postpone the proposed investigation until after the election? The committee had already virtually declared that there was no "security for constitutional rights in Mississipi;" why then should the proposed investigation be deferred until after the election? The reason is obvious. Mississippi may possibly choose electors favorable to the Republican candidate for the Presidency, and in that case no investigation will be needed, but if, as is most probable, Democratic electors shall be chosen, and the choice of President shall be determined by her vote, an investigation "after the election" may furnish an excuse for the rejection of her vote or the counting it for the Republican candidate, as was done in the case of Louisiana and Florida in 1877. However adroitly concealed under verbiage, this is the evident purpose of the committee in the recommendation of "an investigation after the election."

The duty of the undersigned in this regard is perhaps discharged by exposing the animus of the recommendation, but they feel justified in saying that "they little understand the spirit of the age, the temper of the American people," who suppose that they will again submit to a defeat of their will in the choice of a President, as was the case in 1877. Neither electoral commission nor armed soldiery around this Capitol will prevent the installation in the Presidential office of the man elevated to that position by the voice of his countrymen. The reproach brought upon our system of government by occurrences which placed in the chief executive office of the Government a man who had been defeated at the polls is too keenly felt by the people of the country to justify the belief that they will tolerate for a moment the suggestion of their repetition. And the undersigned can but express their surprise at the temerity that ventures, however covertly, to avow a purpose so destructive to the peace and honor of the country.

ELI SAULSBURY,
B. F. JONAS,
Z. B. VANCE,
JAS. L. PUGH.

APPENDIX.

TESTIMONY OF J. S. SEXTON, ESQ., RELATING TO VARIOUS MATTERS UNDER INVESTIGATION.

JAMES S. SEXTON sworn and examined.

By Mr. JONAS:

Question. You live in Hazlehurst?—Answer. Yes, sir.

Q. How long have you lived there?—A. I have lived there four years. I was raised in Copiah County.

Q. Are you a member of the bar?—A. Yes, sir; I have been practicing law there.

Q. Were you in Hazlehurst during all the last election campaign, or in Copiah County?—A. Yes, sir.

Q. And saw a good deal of what was going on?—A. Yes, sir.

Q. In the testimony of some witness it is stated about Mr. Joe Bailey—do you know him?—A. Yes, sir.

Q. He is a lawyer there?—A. Yes, sir.

Q. It was stated that he made an exceedingly violent, excitable, and inflammatory speech; did you hear that?—A. Yes, sir. I heard Mr. Bailey make two speeches. On Saturday night he had been down in beat 3. The appointment had been made, I think, by the executive committee. Mr. Bailey came in about 9 o'clock at night, immediately after this excitement on the streets in reference to these warrants for the men to be arrested. He came in and made a speech to the club that night, and I remember distinctly some of the remarks that he made, I think made in answer to questions asked him. There were some old men present, conservative citizens, and Mr. Bailey went on to tell about being in beat 3 electioneering, and I remember that he said (he rather addressed some of his remarks at that time to some of the older gentlemen present), "While we have been going around electioneering and all this, and making considerable demonstration, I assure you we have committed no crime, and done nothing that the older men and thinking people of the county could condemn." That was on Saturday night. I heard Mr. Bailey make that statement in reference to what they had done in beat 3. On the day after the killing I remember the speech made by Mr. Bailey, and I was very much astonished to hear the testimony of some one here yesterday in reference to it. Mr. Bailey made a speech to that excited crowd of men——

Q. Was that the meeting that passed the resolutions?—A. Yes, sir. Some parts of his speech were very conservative indeed. I know he went on to say, among other things, that we had had a considerable victory there, and in the time of victory we should show our magnanimity. Somebody said to you that Mr. Bailey jerked out his pistol. He did that, but in this connection, and I was astonished to find Mr. Bailey there with a pistol on him. He said, "They accuse us of being bulldozers and all that sort of thing, and," he says, "this is the kind of instruments they persuade our friends with down in beat 3," pulling out his pistol and speaking of the opposition, and the only demonstration made by Democrats was in response to just such appeals as that. I think that was uncalled for and unbecoming, because he is a man of intelligence, and I was surprised to see him jerk out his pistol, but he did it to make that explanation. So far as saying they were going to kill anybody is concerned, I heard that expression, "We will kill them out," and it came from a gentleman named Womack, who is one of the most intense men I ever saw in my life, and who was drinking at the time. I remember that expression. Somebody said that the crowd hollowed out, "We will kill them out." I know that it was Mr. Womack who said that.

Q. Do you know anything about these outrages which have been testified to; have you investigated any of those things?—A. I know that during the canvass in that county, during the session of the circuit court which met just immediately preceding the election, there was a man named Wallis killed and, I remember there was a good deal of talk about it in the town. I remember distinctly that in every conversation

regarding that killing there was never one word said that connected it with politics, or with any crowd, and I know the crowd they called the mob which went down into beat 3, did not go there until a number of days after Wallis had been killed, and I know it never had any political significance.

Q. Did any Independent or Republican charge it?—A. I do not think any Independent or Republican living ever thought, or thinks now, that that was the case.

The CHAIRMAN. I think that is going rather far.

The WITNESS. I heard the matter discussed constantly about the killing of Wallis there, and heard it denounced as an outrage, but I never heard any man say that it had any political connection whatever. I have heard it was connected with a lawsuit in which gentlemen there are interested. Then, about the burning of Daniel Crump's house, I have been astonished to see attempted exaggerations of these offenses. Some of them are bad enough as it is, without exaggeration. The burning out of Crump had no more political connection than a fire here in town would have to-night. Mr. Conn on the one side and myself and Mr. Miller on the other side were representing Daniel Crump in that lawsuit, which carried with it considerable feeling, and in which there was more interest taken than had been shown in a long time in a lawsuit in that county, and quite a number of witnesses had been examined, with a large record taken in the chancery court, consuming really half of this last summer. It was a heated contest between litigants there; and incident to that suit that was pending was another suit involving the question of title to some land on which this Crump lived that he had purchased from Mr. Little. Crump came to me after this burning occurred and told me just in so many words (whether it is true or not I am not prepared to state) that it was Aleck Little and Tom Norman who did it, Little being the man with whom he had the litigation, and Norman his brother-in-law and the trustee in the deed of trust we had attempted to keep from having enforced on his property; that they were present in his yard shooting at him that night when he ran out and saw those men there. And I know as well as I live that that had no political connection.

Mr. JONAS. Did Crump believe it had any?—A. No, sir; he did not believe it. He consulted with me frequently. I took a list of the witnesses. They are in my office to-day, and the district attorney and I have talked about it, and about its being a great outrage that should be punished in that county.

Q. Has Crump consulted you about it?—A. Yes, sir; frequently. I think I was at Louisville or Cincinnati at the exposition when this occurred, and when I came home—no; it was later than that; but I was present when Crump came in to make out this affidavit. The first I knew of it he came to me to prosecute these men, and it is a charge which if a man is convicted of he has to suffer death. I asked him what was his ability to pay a fee. During this long contest he had not paid us a cent. I thought it was a considerable undertaking to prosecute men there for their lives, and I thought he had no means that he could pay a fee with, and I told him that the magistrate could only commit him, and I was satisfied that he would do his duty in that regard, or it would come up before the next meeting of the grand jury, who could investigate the case fully, and I was satisfied that Mr. Miller would do his full duty in the investigation of that case. I know Crump never said a word about its having political connection whatever. Now, about the case of Handy Fortner. No man I have ever heard mention it has ever spoken of it as being connected with politics in any manner whatever. These are three cases I remember.

Q. Was not Fortner engaged in litigation with the man he suspected of doing it?—A. Yes, sir; that is my understanding, from conversation I had with him about it.

Q. From all you have heard from the witnesses here, and all you know of your own knowledge, as a citizen of Copiah County engaged in this canvass, do you believe that these cases grew out of politics?—A. No, sir; I do not; in fact I have every evidence that they did not. These cases I have mentioned were not connected with politics in any way whatever.

Q. What is the general character of the people of Copiah County, especially the Democratic people of Copiah County?—A. It is just as good as it is anywhere. I have lived there until I am twenty-nine years of age, and I have never seen a difficulty in that county until this date that I remember just now. I believe the people there are as quiet and law-abiding as they are anywhere.

Q. Were you at the meeting after the election which passed the resolutions which have been introduced here about the killing of Mr. Matthews?—A. Yes, sir; I testified about that.

Q. Did you take any part in the passage of those resolutions?—A. Mr. Birdsong has testified to the part I took. I was very much opposed to the passage of the resolutions and tried to speak against them, but just about the time I was getting up in the audience there was an old gentleman of our county there, who has lived in the county a long time and represented the county in the legislature, got up to say something against it and I saw from the disposition of the crowd that I could not do anything.

Q. Were the resolutions passed in the midst of very intense excitement?—A. Yes, sir; I have never seen anything like it.

Q. Do you think they were the result of the cool judgment of even the people who passed them?—A. No, sir; I have no idea they were. I saw demonstrations there by men whom I know in the ordinary walks of life are as quiet as anybody in the world. I saw them vote in a way I know they would not have voted under ordinary circumstances; and I know it resulted from the intense excitement growing out of the killing of Mr. Matthews, which was considered a very extraordinary affair, and there was a very extraordinary public feeling there at large.

Q. Do you think those resolutions expressed the sentiments of the people of Copiah County?—A. I know they do not; they do not express the feeling of those men who passed them there, under any ordinary circumstances. My experience with men is this: That when they are excited and stirred up, their fears aroused, and they are prejudiced to some extent, they will sometimes do things that in cooler moments they would not think of doing. I know a very large majority of the people of that county do not indorse those resolutions.

Q. What was the cause of the intense excitement that existed in Copiah County just immediately previous to the election?—A. There was just this about it. The people of that county had been ruined almost, a number of years ago, under a Republican administration there, which administration Mr. Matthews seemed to control. That was suppressed in 1875, and from that time until this last election, the Democrats have been in power there, in the main, and the government had been very good. In some instances officers have not done their duty. In one instance a Democrat defaulted there. Well, for several years prior to this last campaign, there had been a little falling off in the Democratic party of a certain element. For instance, there were quite a number of men who would come into the Democratic party and ask for office, and be constantly crying for office of some kind, and just as soon as they were disappointed they would desert it, and Mr. Matthews would pick up anybody of that kind. He had about 2,200 negro votes in his pocket, and he would pick up anybody objectionable to the Democratic party, and anybody disappointed in the Democratic party, and undertake, with the negro vote, to foist those objectionable Democrats on the white people of the county.

By the CHAIRMAN:

Q. You are speaking now of this particular campaign?—A. Yes, sir; of this particular campaign. And as evidence of it, this man Bridewell, who was a candidate for the legislature, had, to my knowledge, been before several Democratic conventions begging for office, and the Democrats would never nominate him. Mr. Enochs and Mr. McNeil are of the same category, and Leon Matthews and Mr. Barlow were about the only men on the ticket who had not been chronic office-seekers of the Democratic party. When they were disappointed it seemed to be Mr. Matthews's disposition to make friends with them, and take this solid vote and elect them, and whenever these men went over to Mr. Matthews and to the negroes they would undertake the most objectionable methods of arraying the negroes against the white people in one sense; not in the sense that they must go to war with them, but they would appeal to their prejudices, and denounce the Democrats as being thieves and scoundrels who would swindle them. And the negroes are a peculiar people; they are ignorant, and they have considerable prejudice, and these men, by appealing to them simply to serve their own purposes, would stir up an excitement there and embitter the races just in that way, and it was all to serve their own ends. We had suffered there under the administration of the county officers. I made an examination of the books myself, and I know, according to the treasurer's report, when this last board of supervisors, who were elected as Independents, went into office, there was some $13,000 cash in the treasury. And I know the last report, made by an Independent treasurer, showed there was only 79 cents in the common-school fund of that county, and the county was in debt at that time some $16,000. The people were outraged about that. While there had been some improvements made, the people felt it was altogether disproportionate to the way the funds of the county had been exhausted.

By Mr. SAULSBURY:

Q. Was this Independent ticket that was presented to them composed of the men of the character you have described entirely?—A. Yes, sir; it was. That is my deliberate judgment; I know the men personally.

Q. Did you see this so-called mob at any time?—A. Yes, sir; I saw what they term here a mob.

Q. Explain the position of that mob, who they were.—A. My understanding of that matter is simply this: There were some appointments in beat 3, a strongly-contested beat, and in which there were a number of Independents who were fellows just as overbearing as they dared to be, men in the habit of intimidating their neighbors there. These men went down there to do just as much good as they could in the way

of electioneering in our favor, making speeches and encouraging our own men. I made a speech there on the 4th of July, and our men commenced as early as that to try to buoy up each other there in order to get shut of this man Bufkin, who was a Republican of beat 3 and on the board of supervisors. In order to carry that beat, and in order that it might not be, as they termed it, a disgrace to the county, they began their canvass early in the action and our men went down to assist them, and I am satisfied that the men who went there never exhibited any violence to any one. The crowd has been immensely exaggerated. I do not believe from what I know of the men, I would not believe it from any witness who has taken the stand and sworn to it, knowing their character at home, I cannot be made to believe it, that the men I saw in that crowd who came into Hazlehurst had been shooting into negro houses or taking them out and beating them, much less killing and maiming them in any way.

Q. You think they were men who from their general character and reputation would be incapable of such acts?—A. That is my candid opinion. There were some men in that crowd who were rough men and who delighted in being so, and they possibly may have been guilty of some of those acts. But I know a large majority of them are immensely exaggerated. I know that from my knowledge of the people.

Q. In the high state of public excitement some people may have taken advantage of it in order to settle their private quarrels?—A. I think there is no question about that. I am as confident as I am that I live that what they term "the mob" had no more to do with the killing of this man Wallis than I had to do with it, or with the whipping of Handy Fortner, and I know they had nothing to do with the burning of Crump's house.

Mr. SAULSBURY. Is there anything further you wish to state?

The WITNESS. No, sir; nothing specially.

By the CHAIRMAN:

Q. You used a phrase just now in your description of the campaign of 1883, and the reason for the excitement in that campaign, that there were 2,200 negro votes in Mr. Matthews's pocket. What do you mean by that expression?—A. I mean by that that Mr. Matthews had absolute control, in my judgment, of them. I believe they would vote for the devil if he put him on his ticket.

Q. How many negro votes are there in your county?—A. I do not know. I have an idea that there are about 2,500. I think perhaps there were 300 negroes in that county that Mr. Matthews could not control.

Q. You think there were more negro votes than white?—A. No, sir.

Q. Are there more than 5,000 registered voters in the county?—A. That is a matter easily ascertained: I never have examined the registration of that county.

Q. You say that there was no shouting about cleaning Matthews out, or whatever the phrase is, by the crowd, but only by one man that you know?—A. I say the expression "We will kill them out" fell from the lips of a man named Womack.

Q. Do you mean to say that you heard every shout in that excited crowd?—A. I heard that as distinctly as I hear your voice, and I know it fell from his lips and no other man's.

Q. I want to know if you heard every shout that came from the others of the crowd?—A. No, sir; but such an extraordinary expression as that would have struck me.

Q. If you did not hear it it would not have struck you?—A. Not at all.

Q. And you mean to say that you heard all the shouts that came from the others of the crowd?—A. I cannot say that I heard everything that was said, but I am certain if the crowd had hollowed it out I would have noticed it.

Q. If any other man says he heard such shouts you cannot say that it is not true. Now, did they permit this old gentleman, Major Barry, to speak, or did they shout so that he could not be heard?—A. Major Barry did not undertake to speak at any considerable length; he declined to speak; he got up and said, "I object to the passage of those resolutions. I am willing to hold a man responsible for all that he does, but I am not willing to go so far as to say what those resolutions do say, that they will hold him responsible for whatever crimes may be committed in the community;" about that time there was considerable uproar, and he sat down.

Q. Did you agree to any part of those resolutions or approve of them?—A. No, sir. There is one expression in the resolutions——

Q. I want to call your attention to a particular one.—A. Let me explain one thing. I think that the real gist of those resolutions, if they had any, and they seem to convey a good deal, seemed to consist in the impression that the people of that county had made up their minds that a few designing men could not take the negro vote and organize it against the white people, and thereby disrupt society and break up——

Q. They said if any man undertakes to organize the negro race against the whites it will be at his peril; that is what the resolution says.—A. If there is anything pardonable in those resolutions it is that expression, and those who have suffered under that know of it.

Q. You approve of that?—A. I do not approve of giving notice to the world that we will kill them or that a man shall do certain things at his peril; but I do object that any designing men shall control the negro vote over the people.

Q. When you say that no person or set of designing men should be permitted to organize the negro vote, do you mean to say that that should be prevented if the negroes and designing men should happen to constitute the majority?—A. I say if they are the majority I think we had better get out of the country and not kill them. I am in favor of a majority rule, and if we cannot stand it we will have to leave.

Q. If they have a majority of the votes you will have to stay there and endure it or go away?—A. Yes, sir; that is my idea. I do not wish to be understood as saying that the negroes of that county are all thieves or all designing. The truth is the negroes constitute the best element of the opposition to the Democrats in that county, and there are a number of good negroes, men, who if not misled and their passions not appealed to or their prejudices aroused, who would accumulate some property. They are generally improvident and would never accumulate much so far as that is concerned, but they would undertake to do their duty in the way of supporting the Government and paying their taxes. They are not a hostile people as a race, and not inclined, except when stirred up by designing men, to run counter to the white race. They are rather inclined to take counsel of the whites, and strange as it may seem there are a large number of negroes there who would go to their employers and take their advice on any question, who would risk their lives in the hands of attorneys, place their families' lives in the hands of doctors, who during a political campaign, and after hearing such men as they are in the habit of hearing there, notwithstanding these men had intrusted their property and rights to them, they could no longer reason with them, and they would leave a room or a meeting in order to keep from hearing them speak on politics.

Q. And actually vote against those good men?—A. Yes, sir; that is their privilege. I have seen negroes who could not actually read a word pretending to read the newspapers, and saying that the Democrats had passed certain laws, &c. Sol. Smith, for instance, reads the newspaper half the time wrong side upwards and then instructs them about the laws the Democrats have passed, and they cheer it to the echo.

Q. When you were asked by Mr. Saulsbury if there was anything you would like to add to your answers, you said there was nothing you wished to say particularly. When I ask you a question I do not want you to go on with a general discourse. If there is anything you deem important, of course you will have an opportunity to tell it. But I want to ask now in regard to some particular points, and I would like to have you confine your answers to the questions; if there is anything you wish to add before you leave the stand you shall have the fullest opportunity. Now, are not the colored people in that county quite desirous of having their children educated?—A. They seem to evince that desire, judging from the way they send them to school, and from the interest they take in it. I believe they do.

Q. Quite as much so as the least affluent class of the whites, are they not?—A. I rather believe they are.

Q. One witness testified they were more so, or at any rate quite as much so, and he was your Democratic superinten ent of schools.—A. I think so, from the way they attend schools and the disposition they show to send their children to school.

Q. Do you not know that this complaint which you make that the persons who have left your party and gone in with the other party are the men who sought office and did not get it, and that there is wastefulness and extravagance in the management of the finances by your opponents, is a common complaint everywhere of the party that is out against the party that is in?—A. Yes, sir; I know that there are such complaints made always by the party that is opposed to the dominant party; but I know—furthermore, I have read something of parties in this country, and know something of their existencet—hat in no place, except in the South, are the people surrounded with the peculiar circumstances that surround us; that is to say, where they are presented with a vote that is such a large factor in elections, and that is so easily misled and misguided.

Q. I understand that. I understand that you have, at the South, whether it is right, or just, or wise, to encounter this peculiar fact that the current of events has made your former slaves, who were slaves without the fault, certainly, of the present or last generation of men, on an equality with you in voting, which is a very rare and impressive event in history. But still you recognize, do you not, the fact that they have this constitutional right?—A. To the fullest extent.

Q. Given to them without their fault, or without their doing anything to get it themselves; given to them by a force outside of their own?—A. I would not have blamed them if they had tried to get it.

Q. And you recognize that these colored people, during the war, were faithful and friendly; while their masters and masters' sons were at the war they staid at home and generally kept the peace?—A. I was a child then, but that is the general impression, and I think it is true.

Q. You have a feeling not unfriendly to the negro race so far as that is concerned? I do not speak of yourself personally, but your white people have?—A. I know I have a friendly feeling.

Q. Do you doubt that a very considerable portion of the people, the white Democrats of your county, agree with what Mr. Dodds stated the other day was his opinion, that this bull-dozing, as it is called, while an evil, is preferable to permitting the negroes and this bad class of whites, if in the majority, to rule and control; that it is better to prevent it by force than to have it done?—A. I never have discussed that question with a sufficient number of men to express an opinion.

Q. You have told us in regard to many things what you thought other people believed.—A. Upon that particular question I am not prepared to express an opinion. I know that a large number of people there are generally very conservative in their feelings, and are opposed to violence in any form, and I have reason to believe that they would submit to almost anything that could be endured rather than to resort to revolutionary methods.

Q, Do you not regard Mr. Dodds as one of the law-abiding and conservative people of the county?—A. Mr. Dodds is a conservative man, and I was surprised, and so expressed myself yesterday, at Mr. Dodds's testimony on that particular point. However, he is a man as capable of taking care of himself as I am, and as capable of judging. I mean by that in any intellectual difference of opinion.

Q. Have you investigated the particulars of this whipping of Handy Fortner yourself?—A. Not personally; I heard this——

Q. I do not ask you what you heard.—A. I insist on giving my explanation of the matter. I have heard the attorney of the man whom it is supposed whipped Fortner state that he himself believed that that matter was a personal matter and not a political one.

Q. But if those persons asked Fortner how he was going to vote, and told him that he must vote the Democratic ticket or be a thousand miles from the polls on election day, if that is true would you not change your opinion on that subject?—A. I do not know that I would, for this reason: If this gentleman went and whipped him on account of a lawsuit, he would attribute it to most any other motive and undertake to make common cause with a large number of Democrats in this violation of the law. It is very probable they might have gone there and whipped him on account of some private grievance, and yet attribute it not to the lawsuit but to the fact that he was a Republican.

Q. It would have about the same effect on the negro if a Democrat, with other Democrats, went there and whipped him and told him he must either vote the Democratic ticket or be absent from the election on election day. Do you think that helps it, so far as the negro is concerned, that the man had a personal spite?—A. Not so far as the negro is concerned in the least. I would say in addition, that this gentleman who testified as to what Fortner said before the grand jury, I know will not lie, and men on their oath and not on their oath will tell you what I believe to be true, that it is very questionable about anybody's going to Fortner's and talking about how he should vote, though I have no question about his being whipped.

Q. Is it not possible that he was in a state of terror before the grand jury?—A. No, sir; I think not. I know the character of the men on the grand jury, and Mr. Earnes said he assured him that if he had anything to say he should be protected in it, and would call any of the witnesses, if he had any, and I do not believe after that assurance the negro had any fear.

Q. It is barely possible if an indictment was found against Thompson or any other of these Democratic gentlemen, Fortner might think they would avenge themselves?—A. I do not believe they would. The law is not a farce in our State. Whenever a man is indicted, arraigned, and tried, as I have seen, you will see that there is some meaning in it. You get a man in the clutch of the law, and he is not so apt to go out and whip men as you imagine. It is before they get indicted and not after they get into the hands of the authorities that they do these things.

Q. But in these two instances you attribute it to suits at law?—A. Yes, sir; but bring them in and indict them for those offenses and for assault and battery, and they would be the last men in the world to attack those negroes any more.

Q I shall look then with considerable interest to see whether Ras Wheeler is hung or not. I think you said you heard the speech of Mr. Bailey when he flourished this pistol?—A. I did.

Q. You also, have testified, I think, that you heard a speech of his a few days before the election?—A. That was on Saturday night when he came in from beat 3.

Q. Did not Mr. Bailey say in that speech on Saturday night that he heard there was a warrant for his arrest?—A. Yes, sir.

Q. And that he was not going to be arrested until after election?—A. No, sir. Mr. Bailey said he understood there was a warrant for his arrest; that he was to be arrested as a common vagabond and disturber of the peace, and he said that he had not disturbed the peace or been engaged in the riotous conduct they accused him of, and

I am sure that he never had. Any such expression as that would strike me as remarkable, and I know I should remember it. We are not a lot of brigands up there; we are not in the habit of hearing men swear they will resist the officers of the law, and will abide their own pleasure about it. Such things are not common in that State, little as you may be disposed to believe it.

Q. I want to ask you about one other matter. Did you receive a letter or communication from anybody advising you to call a meeting, or to have a meeting called, to express disapproval of this killing of Print Matthews?—A. Not a line; I am certain that I never received a line from any one in reference to that matter.

Q. Or in reference to any of these outrages or matters that have been going on?—A. No, sir; not a line.

Q. Or any verbal message from any one?—A. No, sir; no verbal message from any one. I was in Jackson and discussed the matter with quite a number of men there.

Q. Did you consider or discuss the question of calling a meeting to either denounce or express disapproval of these proceedings or this crime of Wheeler's?—A. Not for a moment; I never dreamed of it.

Q. Or expressing disapproval of these resolutions?—A. Yes, sir; I did. I spoke to one or two men about it. I remember having spoken to Mr. Dodds about it, and I think I spoke to Judge Mayes about it.

Q. To anybody else?—A. I do not think I did.

Q. Did you discuss it with anybody in Jackson?—A. Judge Cooper spoke about it with me in Jackson, and I think I talked with General George the night he left for Washington.

Q. Did he not advise it?—A. I do not know that he did. I think I suggested to him that I would be glad if something of the sort would be done.

Q. Did you conclude not to do it for the reason that it was likely that the same element which took possession of this other meeting would take possession of any other one that you called?—A. No, sir. I was quite busy at that time and it takes considerable effort to get a meeting of citizens in Copiah County, and there is hardly any man who will undertake of his own accord to work up a meeting of a large number of citizens there. After these resolutions were passed, which I considered very unjust towards the Matthews family, and unjust towards ourselves, I thought if there was a mass meeting (because the other was not a mass meeting), and they would pass resolutions regretting the circumstances that had arisen and would say that those resolutions were not the sentiment of the people it would be a good thing and I think so yet. But I failed in my purpose, not really in my purpose, but I did not carry out what I thought of, from the simple fact that it was a greater undertaking than I had time to attend to.

Q. There was no difficulty in getting up the other meeting?—A. No, sir; it was the day after the election. The killing of Print Matthews was a very extraordinary thing in our county, and there were quite a number of men who came in there, and there were a number of excited men there, such as is incident to any other county where there has been trouble.

Q. How many cases had you on the docket of the circuit court at the last session?—A. I never have counted my cases.

Q. Had you more than eight?—A. Yes, sir; I had a good many more than eight; I must have had twenty cases. But I am surprised that a committee of the Senate of the United States should be going into the investigation of that matter.

Q. But the minority has gone into an investigation of Mr. Burnet's cases?—A. Yes, sir; but I never have published at large what kind of a practice I had in Copiah County.

Q. You will allow me to be a judge of the propriety of putting my question. I wish to ask you how many you have been employed in?—A. Twenty or thirty, I think. I am a young attorney, and have only been there in practice a few years. Mr. Burnet has been practicing law much longer than I have. I believe I was at Hazlehurst a year before Mr. Burnet came there, though I am not certain about that.

By Mr. SAULSBURY:

Q. You would not like to measure your standing at the bar by the standing of Mr. Burnet, would you?—A. No, sir; I would not.

Q. What is his standing at the bar, as they choose to refer to Mr. Burnet as a lawyer?—A. I am not in the habit of discussing the standing of my brother attorneys, but it is very unenviable in Copiah County and also in Hinds County.

By the CHAIRMAN:

Q. He is the only Republican lawyer at Hazlehurst, except Judge Millsaps, who voted the Democratic ticket at the last election?—A. Mr. Burnet never thought of being a Republican until he went to Washington City. I will tell you what I heard him say——

Q. I insist on your answering the question. I ask you whether, in your judgment,

he is the only anti-Democratic lawyer in your county except Judge Millsaps?—A. No, sir.

Q. Well, at Hazlehurst?—A. There is a young man named Mayes there that I never considered much of a Democrat.

Q. But he voted the Democratic ticket at the last election?—A. I doubt it. Now, in reference to Mr. Burnet's Republicanism——

Q. Did not this Mr. Mayes introduce the public speakers at the Democratic meetings at the last campaign?—A. None that I remember of. I do not know that it is necessary to go into Mr. Mayes's character. He was a nephew of Print Matthews, and had a habit of voting for him. I am sorry I mentioned his name. In reference to Mr. Burnet's Republicanism I was going to say that when he was nominated two years ago for the State senate, going on to express his views of politics, he announced himself a National Greenbacker, but I suppose they are not in power in Washington and have no gifts to confer, and that accounts, I suppose, for his being a Republican in Washington and a Greenbacker in Copiah County.

By Mr. JONAS:

Q. Does he call himself a Republican there?—A. No, sir; and he would hardly have submitted to have been called a Republican there either.

Q. Then he is not the only Republican lawyer there?—A. No, sir.

By Mr. CAMERON:

Q. You have referred to a Mr. Mayes and stated that you did not consider him much of a Democrat. Did he or not address the Democratic club during the last political campaign in your county?—A. Yes, sir; but he told me he was going to vote the Radical ticket from top to bottom.

Q. But he did address the club?—A. Yes, sir; I remember he did.

Q. Was he a member of the club?—A. I do not know; I think probably he was.

Q. Did Mr. Mayes call it the Radical ticket?—A. That is my impression.

Q. He meant the anti-Democratic ticket that was running in the county at that time?—A. Yes, sir; I do not remember whether he called it the Independent ticket or not, but he told me positively that he did not intend to vote for any Democrats on the ticket; but he talked a dozen ways about it. At any rate I know that Mr. Burnet's character at the bar was never determined by his politics; I know that, and I know to-day there are Republican lawyers in the State of Mississippi who stand just as fairly as any lawyers do; I know one at least who stands just as fairly as anybody; and I know the chancellor of our district was one of the most pronounced Republicans I have ever known, and he has been appointed for two successive terms and has been reappointed and served as chancellor, and no man in Mississippi is respected more than he is.

Q. Then you think there are two decent Republican lawyers in the State of Mississippi?—A. Yes, sir; two gentlemen I consider first-rate men, and there is another one here in this building, Mr. Lee; I have the highest respect for him. But I have no respect for the men who are Republicans in one county and Greenbackers in another and Democrats in another.

The subcommittee then adjourned until Wednesday morning, February 27, 1884.

NEW ORLEANS, LA., *Wednesday February* 27, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas.

The examination of witnesses was resumed, as follows:

J. S. SEXTON recalled.

By Mr. SAULSBURY:

Question. Did you ever hear Mr. E. F. Bufkin say anything about running anybody out of the county? If so, state it.—Answer. I heard Mr. Bufkin say a few days after the election, at the time that he spoke of in his testimony here, when this board of supervisors was in session in Hazlehurst, at the corner of Mr. Subat's store, in the presence of several gentlemen, that he and this man Joe Bondurant, on the night after the election, were at his house, and he said he proposed to Bondurant that they should go down and have some fun out of Ormon, who was a Republican. He said that Mr. Bondurant first declined to go, but he said he had some whisky there, and he gave them two or three drinks of whisky, and after awhile they went down to Ormon's house and called at the gate, and he said as soon as they called, Ormon declined to come out, and I think he said he ran out the back way, and he said they shot at him a time or two to scare him, not to hurt him, and the next day Ormon came to his house and said there had been one hundred and fifty men down there shooting and shot his

house all to pieces. He said Ormon had left the country and he had never seen him since, but he had seen a letter from him, which was written from Pelehatchee, in Rankin County.

Q. Is Bufkin a Republican?—A. Yes, sir; and so is Ormon. Mr. Bufkin, the other day, said they shot off their pistols from the gallery and around and about his own house. But he stated to me in conversation that he went to Ormon's house and told me what I have stated.

Q. Was this man who went with Bufkin and Bondurant a Republican also?—A. Yes, sir.

Q. Then the three were Republicans—Bufkin and the other two men?—A. Yes, sir; or anti-Democratic; I think they were all straight Republicans.

Q. Did Mr. Bufkin intend to convey the impression that it was because this man was scared at his shooting that he ran off?—A. That was my understanding, and that is what he intended to convey; there is no doubt about it.

By Mr. CAMERON:

Q. It might be well enough to tell what he said, and leave it to others to judge of the intention?—A. I have stated fully what he said.

By Mr. SAULSBURY:

Q. You heard Mr. Bufkin's testimony here the other day?—A. Yes, sir.

Q. It was not in accordance with the statement he made previously?—A. No, sir: he testified here the other day that on that night he shot off a couple of rounds from his pistol in his gallery, and the statement that he made to me was that they went down to Ormon's house and shot them off; that is just the difference.

Q. Do you know anything about David Bell, a negro witness who has testified here, and of his coming to you and trying to get a chance to summon the witnesses?—A. Bell came to my office one day week before last. I suppose he had learned that I had been selected, or was expecting to come down here; he came and sat in my office a few minutes and asked me if I expected to take any part in this investigation. I told him probably I would. He then asked me if he could do me any good as a witness. That was the first proposition he put. He wanted to be summoned as a witness. I told him I did not know, and asked him what he knew. He detailed some little matters about Mr. Matthews being a violent man and that he had written to Mr. Matthews that his extreme course in politics was driving men off from the party. I said I did not want him as a witness. Then he wanted me to have him appointed marshal of this committee to summon witnesses up there, and said if I would do it he would consult with the darkies who would be summoned down here. He said the niggers thought this was a big thing, but there was no use of their going crazy about it, and he would tell them that they had to leave there or testify favorably to our side, if he was appointed. I thought he was after a bribe, and I told him I would have nothing to do with it. He has a job now in the legislature as a porter, I believe. He is always hunting little jobs about.

Q. Do you know anything about why armed men went to Spencer's mill or to Brown's store or both places? If so, state.—A. On the day of the election a young man named Bill Higdon come in from Spencer's mill very much excited and said that Ed. Matthews, who testified the other day, had five double-barreled shot-guns in his house a few yards from the polling precinct, and I think he said a man named Mincher had raised a difficulty with some of our friends on election day, and there was enough of them, and it was sufficiently dangerous to create considerable trouble there and they came to town for assistance, and Mr. Joe Baily, Pooler Britton, and several others got horses and went out there for the purpose of assisting our friends in the event there was a general conflict there, which they thought was very imminent at that time.

Q. Did they or not go there for the purpose of making a disturbance, or was it for the purpose of preventing a disturbance by the protection which they proposed to afford to Democrats?—A. They had no idea of making a disturbance, I think. I know they were appealed to to go there, because disturbance was threatened upon the other side; and at Brown's store a young man came in from there late in the evening; he was sent to me to get me to go out there, and he stated there was a large number of negroes out there and there were but a few white men there, and the negroes were all standing around there, and some of them had guns, and he said the white people there were afraid, very uneasy, and wanted some help. I could not find any horse at all at the livery stable, and I telegraphed to Mr. Wilkinson, at Crystal Springs, that there was serious trouble, and to send some help down there.

Q. What was your object in doing that?—A. It was to get assistance in the event of the negroes undertaking to raise a row there, but it was not to start up a riot or anything of that kind.

Q. Or to intimidate or to prevent the negroes from voting?—A. No, sir. They had sent down when I telegraphed to town. The votes had not been counted. The

negroes were standing around there, and they were led by a negro named Lewis Brown. You talk about these lamb-like negroes; I know that that negro, Lewis Brown, is as brave as Cæsar. They expected a serious conflict there.

Q. Do you know the reasons that were assigned for the passing of the resolutions which had been referred to here?—A. To some extent, I do. I have heard some gentlemen who were present, and who took part in the resolutions, talk about the reason they were passed, and they assigned this as a reason: it was just a common rumor, as current as anything could be, that Mr. Matthews had made those threats and talked about his will, and all that sort of thing, and he was attended by a body of men who were desperate, known to be men of courage, and the people there were uneasy, and they were afraid there was going to be further violence, and a part of the men who voted for those resolutions, I am satisfied from what they say, voted for them as a quietus, to stop their troubling them further. I have heard men say if those resolutions had not been passed there would have been a dozen good men killed there; that while the resolutions were bad in themselves, they had the effect of preventing further bloodshed. I heard that reason assigned for it.

Q. If there is any other statement you wish to make you can do so.—A. There is nothing else.

By Mr. CAMERON:

Q. What reasons were assigned at the meeting for the passage of the resolutions?—A. The resolutions speak for themselves.

Q. I did not ask you that; I asked you what reasons were assigned at the meeting for the passage of those resolutions?—A. Do you think you can make me testify to a state of facts, whether I know it or not?

Q. I ask you to state if you know.—A. I heard no reasons assigned. There is a preamble there which speaks for itself.

Q. I did not ask you about the preamble.—A. Well, I wish to make that answer.

Q. Did you hear any reason assigned in the meeting for the passage of the resolutions?—A. I think I did. I probably heard men speaking of those resolutions, but the reasons were set forth in the preamble to the resolutions.

Q. You are a lawyer, and I ask you to state.—A. I do not remember hearing any man in a speech state why the resolutions must be passed, but I think that was the general impression of the crowd, that there was danger of further serious trouble.

Q. I did not ask your impression of the crowd; I ask you to state what reasons, if any, you heard assigned in the meeting for the passage of the resolutions?—A. I do not remember to have heard any assigned from the bench, or from any public speaker in the crowd.

Q. Or anywhere?—A. I cannot recollect that I heard any reason assigned whatever from anybody, but I am satisfied that was the general impression.

Q. I do not ask you what you were satisfied of.—A. I shall not stop when you get ready. I shall answer in the way I please.

Q. I will ask you again the reasons you heard, if any, assigned at the meeting for the passage of the resolutions?—A. I refer you to my previous answer.

Q. What was that?—A. You can have it read.

(The stenographer read the answer referred to.)

The WITNESS. That is just my memory of it.

Q. Who informed you, after the passage of the resolutions, what his or their reasons were for voting for them?—A. I have heard several men talk of it; among others I heard Mr. Miller and Mr. Dodds say that they were satisfied the effect of those resolutions was to keep down trouble there. I remember those two men.

Q. Was Mr. Miller or not elected district attorney on the Democratic ticket at the last election?—A. Yes, sir, he was.

Q. And Mr. Dodds, who has been a witness before the committee, was the other one?—A. Yes, sir.

Q. Are they the only two?—A. No, sir; I have heard others talk about it, but I cannot recall their names. I reckon you are aware of the fact that a man cannot call to memory every conversation and name of the men that took part in that conversation so long afterwards.

Q. How long after the passage of the resolutions was it when Mr. Dodds assigned to you his reasons for voting for them?—A. Mr. Dodds and I discussed those resolutions immediately after their passage. We talked about it first and last twenty times, and Mr. Miller and I talked about it often, and Mr. Conn and I. I think we have talked about this matter frequently, and I have talked to a number of citizens there about it, among others to Judge Mayes, and Judge Peyton, though I do not remember that they made the same statement that Mr. Miller and Mr. Dodds made in reference to them. But we talked about them very often there.

Q. You stated that some of the persons with whom you had talked thought, although the resolutions were wrong in themselves, if I understood you correctly, still the effect of them was to prevent further bloodshed?—A. Yes, sir.

Q. Did Mr. Dodds state that to you, or anything to that effect?—A. I do not remember that Mr. Dodds did.

Q. Who did?—A. I think I heard Mr. Miller say so; I know I heard him say so: probably I have heard others say so.

Q. Have you heard any others state that?—A. I cannot recall any other names just now, though I am satisfied I have heard other gentlemen express the same opinion.

Q. Who directed these armed men to go to Spencer's Mill?—A. I do not know that any one directed them to. There were quite a number of gentlemen there who were ready to go if they could have gotten horses. I know it was very troublesome to get horses there to go, and I know that I saw Mr. Bailey and Mr. Britton, among others, going out. I have no idea that they were directed. I think when the appeal came in they volunteered their services.

Q. Who requested or directed the armed men to go to Brown's store?—A. I never saw any armed men go to Brown's store. I telegraphed to Mr. Wilkinson at Crystal Springs that there was danger of serious conflict at Brown's store and to send help if he could. I do not know whether any help went or not. I have heard that some men started, and afterwards heard that there was no trouble there and then turned back. I do not know that of my own knowledge.

J. S. SEXTON recalled.

By Mr. SAULSBURY:

Question. You said that you took an active part in the last canvass, I believe?—Answer. Yes, sir; I think I took an active part in it.

Q. You were generally acquainted with the purposes and designs of the Democratic party of that county, were you?—A. As much so, I suppose, as any man in the county.

Q. Did you ever know of or hear of any rumor, purpose, or intention on the part of Erastus Wheeler or of any person else to commit violence or take the life of J. P. Matthews?—A. Not one line or syllable.

Q. Do you, from your knowledge of the people, mingling with them, believe there was any conspiracy on the part of Wheeler with any person else in the county for the purpose of taking his life?—A. I have no idea that there was, and I have so expressed myself a hundred times in reference to it.

By Mr. CAMERON:

Q. I will ask you if you have heard how the gun with which Wheeler killed Mr. Matthews was brought into the room where the killing occurred?—A. No, sir; I have heard one or two reports about guns. I heard that Mr. Morrison had a gun after the killing, and I have heard some talk guns there, but I never have known, and never heard any one say, how that gun was brought there or when it was brought there. I do not know anything about that. I was at work in my office on this Cook case——

Q. Of course I did not suppose you knew how it was brought there.—A. I was going to make an explanation. I was working in my office on the Cook case——

The CHAIRMAN. It is hardly worth while to make that explanation, unless it is something that is necessary.

The WITNESS. It is not necessary, perhaps. I just wanted to add that I was perfectly astonished when I heard of it. I never dreamed of Mr. Matthews being killed.

TESTIMONY OF GEORGE J. MORTIMER RELATING TO THE CONDITION OF AFFAIRS IN COPIAH COUNTY.

GEORGE J. MORTIMER sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. At Crystal Springs, Copiah County, Mississippi.

Q. How long have you lived there?—A. About twenty-five years.

Q. What are your politics?—A. I am a Republican.

Q. Have you been a Republican for several years?—A. I have been a Republican always since the party was organized in the State.

Q. Have you ever canvassed Copiah County?—A. Yes, sir; I have.

Q. Frequently?—A. Yes, sir.

Q. In the interest of the Republican party?—A. I canvassed the county for the constitutional convention of 1869, and repeatedly since. If you will allow me the privilege I will state that yesterday, supposing that I would come before you to-day, I sat down for a half an hour and jotted off about what I wish to say, and I can read it now, and I will submit it to the committee as my statement under oath. It is not very long; I can read it in five minutes.

Q. You submit that as your evidence, then?—A. Yes, sir.
The witness read as follows:

SENATE INVESTIGATION,
New Orleans, February 25, 1884.

GEORGE J. MORTIMER:

Have lived in Copiah County, Mississippi, past twenty-five years; occupation, farmer and some in public life; a Union man before the war, and a Republican ever since; been mayor, postmaster, a magistrate, and the first county superintendent of free schools for two years; canvassed the county and met the Democrats in the campaign of 1869 and 1870 for constitutional convention; was not a candidate; advocated election of one white man, one colored, which was done; canvassed the county for U. S. Grant, and carried it, 1,200 majority, about 400 whites voting with Republicans; have canvassed and voted for every National Republican Presidential election; may do so again; believe that Arthur, Blaine, Logan, or Grant would more than double any vote ever cast for the Independent ticket, so called, at last election in the county,

Public sentiment is growing more and more tolerant. I have declaimed and written and spoke publicly and privately, fully and fearlessly; never was molested or interrupted, except by a few rowdies I disregarded. The people listen and learn of all the issues before the two parties, and are not excited only on race issue, black against whites. This, of course, inflames the worst passions of both colors; never approved of violence; do not now. Know nothing of my own knowledge of killings or outrages at last local election; know some causes that led inevitably to this result. Family feuds, private wrongs on the part of a few, took advantage of the excitement consequent on an election to seek revenges; nine-tenths of the people are law-abiding, peaceable, and industrious, Democrats as well as Republicans. There is not one hundred men in the county to defy the laws or that would deny or abridge the right to vote to any man as the Constitution and laws of the United States guaranteed.

A few irresponsible men have done all the wrong that has been done. Killings occur elsewhere, all over the United States, at elections, in cities and in the country.

Copiah County remained quiet; no riots or bloodshed at elections, while several counties neighboring have had these troubles. The conservative element of both sides here kept the peace and obeyed the laws; held fair elections. Ben. King, two years ago Independent candidate for governor, a native, and personally a very popular man, honest and able lawyer, only carried the county by a small (12) majority. McNeil, Independent, ran ahead of J. P. Matthews some hundred votes. The opposition from both sides was against Mr. J. P. Matthews. Personally, Mr. J. P. Matthews was kind to his family and clever to connections. In politics everybody knows, and his own friends and relatives testify, was a "violent man, abusive in his language, intolerant in speech, and rash in his conduct." Personally, we were friendly. I have voted for him three terms as sheriff; have told him his course was detrimental to the public interest and the Republican party. His speculations in the county finances had brought us all into disrepute and the county in debt; asked him to desist. Some of his relatives, all the white Republicans, and many of the blacks withheld their support from him for these reasons.

The opposition in our county is not to Republicans or Republicanism, but to his modes and methods. The constant falling off in his vote proves this. He and his brothers (except Leon) are considered unscrupulous—making money rather than party or principle their aim. The feeling was very bitter against Matthews's leadership, as he sought to control, and did largely, the county affairs, board supervisors, treasurer, and other officials. I never heard or knew of anybody threatening his life. I do not believe he thought he would be killed, or anybody else, nor do I believe the Democratic party are at all responsible for his killing.

The Democrats made their nominations in convention, and so did the Independents. I saw no Republicanism in either; nothing but a revival of the old hates by the Independents. I tried to reason with them that they could not succeed, and if they did they were powerless for good; that in arraying the negroes under the Matthews they drove off all the whites. And most of the whites withdrew from them and voted for the Conservative Democrats, and clubs of negroes did the same.

An average vote was polled, about 3,800. The Independents were beaten over 2,000. The Republican party in the county never was or will be beaten so largely. I vote at Crystal Springs. The election there was perfectly quiet and fair; no man hindered from voting as he pleased. Many negroes voted Conservative Democratic tickets. For twenty years there has always been some Democrats among the negroes. I know them well all over the county; I can give names.

All the trouble in Copiah County has been largely exaggerated. Nobody would have hurt Mr. Burnett. As reported in the National Republican, Washington, over twenty statements are not true in fact. He is excitable, impulsive, and an unsafe counselor; thought to be a clever man of a good family. I am not here as the witness of any party, but summoned by the committee, not knowing from which side.

I regard the full import of my oath, to "tell the truth, the whole truth, and nothing but the truth;" am ready to comply as far as in me is. I would like to state I talked to hundreds of the negroes, as well as the whites; was, just previous to the election, in different parts of the county, and the universal sentiment was Hargraves, the present sheriff, had made an excellent sheriff; had made an efficient, satisfactory officer to all: that Ed. Brown, the clerk, was kind and considerate, and proved to be the most popular man on the ticket; that their opponents, while clever men, were inexperienced and untried; and that a man can be in Mississippi a Republican and be respected, though all men are taken on trial, so to speak; and while some intimidation and outrage may be inferred or proven, yet not enough to change materially the results of the late election; and that I have and will continue to condemn all violence in both parties, as solving no questions in dispute, but as demanding swift justice at the hands of the courts. Any party to succeed must deserve the confidence of the country, and this the Independent party, so called, in Mississippi and Copiah County had utterly failed to inspire the people with.

I wrote that hurriedly in my room and I want to swear to that as true and which I can stand by. That is the impression made on my mind. I may be incorrect. I do not say my deductions are all correct.

By the CHAIRMAN:

Q. You voted the Democratic ticket at the last election?—A. Yes, sir; I voted with the Conservative Democrats. It was a local election, with no politics that I could see in it at all. It was a question whether they should have the affairs of the county economically administered, and who were the best men to do it.

Q. Do you believe that Print Matthews was killed on election morning?—A. Do I believe it? I have heard evidence which makes me believe it; yes, sir. I will tell you what I think. I regret the killing, and I said it, too, on the streets of Crystal Springs, and I can name the men I said it to. I have said that, and I will stand by it. I do not believe in any killing.

CIRCULAR ISSUED AND CIRCULATED BY J. P. MATTHEWS IN 1875.

To the voters of Copiah County:

On account of sickness, and arranging the tax-books, and our court coming on, it is impossible for me to see all, and there has been a great many false reports circulated to injure me, I take this method of correcting them. In the first place there was a report circulated that I had sent for all the colored men to come to Hazlehurst on the 11th of September, armed, the author of which could never be found; the intention of which was to prevent the colored people from coming to the speaking. I supposed to be a trick of the Democratic executive committee to stir up the people and an excuse to buy guns to try to intimidate the Republicans.

2d. The brave and heroic Dr. E. A. Rowan, who (he says) slapped Ras Wheeler in the mouth, and backed old Tom Wheeler out, and candidate for the legislature, and says when he gets there he will have a law passed to prohibit any man from buying a warrant for less than its face value. How simple the man. Says he would not do such a thing; it is wrong; but forgets to tell that I waited with him for part of the tax-list he paid, so as he could buy some more warrants, as he had not purchased quite enough; so he is one of the speculators. This man has been going around over the county telling willful, malicious lies on me, some of which I will mention, and, at the same time, says he ought not to be held responsible for them, as he is representing the people. For instance, at Brown's Store he said that I had forged J. C. Martin's name to tax-receipts, and when informed that it was a lie he stated that J. A. Lampkin, of Beauregard, was his author, and went further to say that J. F. Thompson was L.'s author. Knowing or believing that L. was a gentleman, I dropped him a note to know the facts. Rowan came to answer for L. I telegraphed L. to answer my note; he replied Rowan would answer it. I telegraphed for an answer again. L. dispatched: "I repeated to Rowan what Frank Thompson said. J. A. L." I dispatched to L.: "Did Thompson say I forged tax-receipts?" I then telegraphed for an answer; none came. I then telegraphed demanding an answer. L. answered: "Not answering your demand; but I and three or four others heard Thompson say so." So you see it is hard to get at these things; and finally it rests on some outcast that would disgrace any gentleman to notice.

This man, James Franklin Thompson, I will tell you who he is. He is the man that a few years ago was thought and believed by the community to be the assassin of Jasper N. Decell, a young man raised in the lower part of Copiah, and harmless man. My reason for believing it is, Decell told me not more than one hour before he breathed his last that Thompson was the man that killed him, and I believe the dying man told the truth; he also gave the cause, which I withhold for the present. And even this year, Thompson induced his old aunt to move to his place to live with him: and

as soon as he got what the old woman had, he shoved her off the door-step, draggged her to the gate, and throwing a few of her things over the fence, drove her off, claiming that the most valuable was his—that she had given them to him. Thus we see he robbed his old aunt. My author is old aunt Nancy Minton, his aunt that was bruised by his hands and brutally robbbed. Now, I denounce the author of the forgery a base liar and a cowardly brute, and I believe that Rowan knew it was a lie, but told it to obey his master and try to injure me.

Then I have understood Judge Mayes has been ventilating me considerably, and has talked some about my old father. My brother-in-law ought to go slow. He knows I have taken him out of the gutters in his sprees, when no decent man ought to have touched his filthy carcass, and defended him when a candidate for office to keep out of the army, when the people charged him (pretty justly) with stirring up the old bank claims and oppressing them, and stirring up the Leonard suits which unsheltered such men as old William Brown and John Blankenship, and the old widow McLurg, and a great many others. Now, judge, go slow on my old father; you got his land. But you are at liberty to ventilate my record from 1840 to date. While I have done many things like these, I have regretted the necessity, but never the act.

Then there is King, the old war horse and the acknowledged leader of the party.

A man who is never at peace or on friendly terms with any two members of his family at the same time; a man whom I am informed preferred staying all night with John Hennington (a very clever colored man I must say) in preference to staying with his own color, I suppose trying to carry his party down to social equality; he is the man that bought his gold pen to sign the ordinance of secession, and done as much as any other man to tear down the best Government in the world and bring on the war, and done as little to defend his country as any other. He volunteered and went off as first lieutenant, and induced every poor boy and man to go with him, as the people had confidence in him, was anxious their boys should go with him, but when the regiment was formed and he got beat for major, like a cowardly brute slapped a poor soldier in the mouth with his sword, left the poor boys intrusted to his care, resigned, and come home and ran for petty office to keep his corrupt carcass whole; but the people that had intrusted their children with him repudiated him, and then we find him in the militia, where he got the name of colonel that he now disgraces, and never was during the war in range even of their largest guns, and now has a large store and a deed of trust on the shelter of every widow and orphan of the Confederate dead in his reach, and buys widows' and men's warrants as cheap as my father does, and instead of paying them the money like a gentleman he gives them goods out of the store at about three prices, when the fact is, what hurts King he can't get all; you get more for a warrant at 50 cents in money than 75 cents in trade; but my father always paid as much in cash as King did in goods. There is no man that buys more than King and pays his customers' tax with them; and in addition to getting the par value he charges 15 per cent., which he gets for every warrant he buys at 25 cents $1.15. If he tells you he gives you the face, the trade brings it to 25 cents.

King is also the man that run a doggery in partnership with Jo. Goodman, a negro, near Pine Ridge, and sold negro's whisky to boys for cotton, knowing it was stolen, and the poor negro stands indicted, when King, the professional foreman of the grand jury, ought to be; also he is the man that imported one of his nephews, in the shape of a human being, by the name of W. K. Deason, to Beauregard, to act as mayor, as the honest people had elected a man that would not call him master, and his nephew was allowed double fees in violation of law, and thus this leader robbed the honest people; even when the court stopped his carpet-bag mayor, then the robber called the council and repealed all the town ordinances, and the corporation has no laws, except some minor ordinances to-day. He is also telling around that I willed one of my brothers a sum of money to kill him and the executive committee. He lies. My will is, that when King and the executive committee hire me murdered, as I have heard that they intended doing, then in that case, I wanted my family to appropriate all I owned to have their families to feel the need of a father as well as my little children.

Now, these are the men that are going round abusing me and my family, and telling their lies, simply because they can't rob the county as it was when they had J. C. Martin in, that they, and especially King, controlled.

I was born and raised here in your midst, and I have tried to serve you as sheriff in the past so as to offend none. I have never allowed my politics or anything else to influence me, but tried to do my duty towards every man. I have no ill will towards any man on account of his views. I have always deemed it my duty to accommodate every man, and have always done so regardless of political differences, and I do not believe any Democrat can say he ever knew my politics by my acts in the office, or in any of my private or official acts with them, and if I am elected, gentlemen, I pledge you, as in the past, I will serve to the best of my ability, and not a single man shall know my politics by my official acts.

I never was a Democrat or a Secessionist. I always do what I believe to be right.

My opponent, Mr. Cook, is a clever man, although he wears his red pants, which, in my opinion, means another war; but he done no fighting in the last, and was not, like myself, crippled.

Now, compare my record with his, and if you can conscientiously vote for me and I am elected, I stand ready to accommodate all men of all parties officially alike, and no man will be more thankful than your humble servant,

J. P. MATTHEWS.

THE ELECTION OF 1883 IN MADISON COUNTY.*

I.

Statement of B. F. Garrett, chairman Republican executive committee.

[Printed in the New Orleans Times-Democrat, February 27, 1884.]

FUSION IN MISSISSIPPI—HOW IT OPERATES IN MADISON COUNTY—THE CHAIRMAN OF THE REPUBLICAN COMMITTEE GIVES THE SENATE COMMITTEE SOME INFORMATION ABOUT ONE OF ITS WITNESSES.

CANTON, MISS., *February* 22, 1884.

To the Editor of the Times-Democrat:

I desire to refute the unjust reflection of Judge H. R. Ware before the Senatorial investigating committee upon the Democrats of Madison County.† I do this unsolicited. I am a native of this county. I own real estate, and have for several years taught in the public schools of the city and county. I have been an active participant in the politics of the county since 1875. I have always worked unceasingly for the Republican party. I am now, and have been for five consecutive years, chairman of the Republican executive committee of this county. On the 4th of June, 1883, the Republican executive committee and the Democratic executive committee agreed to divide the offices equally between the two parties, and thus was brought about what is known as the "fusion movement." By the above agreement neither party lost its identity. Both parties were recognized and represented. There was no need of any other ticket, and would not have been had it not been for a few malcontents, greedy and "spoiling" for office. The Independents, by the aid of Republicans, carried the county in 1881. We affiliated with them, believing such a course would bring to us that political peace which we desired. Many months had not elapsed before they showed the "cloven foot."

The James Hill Congressional campaign found them sadly wanting. Instead of sympathy, if not support, we had their opposition. To some of them "Mr. Hill's hair was too kinky"; to others, "this was a white man's country." For this reason, and another more important, namely, the reviving of race troubles, the Republicans thought it best to adopt a plan with more hopeful results. We have accomplished the desired results.

Judge Ware says: "In Madison County the Independents formally withdrew their ticket on account of open threats that were made to kill the leaders of the party if they insisted on continuing their ticket in the field." This does the Democrats of Madison County a great injustice. If the judge had said that several colored Fusionists were bulldozed by his allies here he would have more correctly stated the case. Judge Ware was a candidate for district attorney in this judicial district. He was, indeed, an independent candidate, not being nominated by any party. The Republicans of this county had, in the division of the offices, agreed to support the Democratic nominee. Judge Ware endeavored to get us to break our promise and support him. We emphatically declined. He then began to canvass in a secret way our strong Fusion districts, and raised the race issue in its fullest sense. The Independents had no issue to present to the people and had to manufacture campaign thunder to arouse the passions and prejudice of the blacks. The Democrats submitted to all, desiring a peaceful election, until a circular (whose author is Judge Ware) was distributed in this county. The circular was so incendiary that the chairman of the Independent committee denounced it, saying it would incite race troubles. Were it not for its length I would give it in full. However, extracts will convince the unprejudiced of its vileness:

"What appened in 1875 to put the Republicans out of power, and why is it that the Republicans for eight years have had no ticket in the field? You all know the reason

* For discussion concerning admission of these papers see page — of the extracts from the Journal.
† See page 192 of the testimony.

why. The shotgun policy. The Yazoo plan did the work, and has kept Republicans from the polls ever since. Who has done this? You all know it is the Democratic party.

"Mr. Miller is also a candidate for district attorney. He is a Democrat, and tried to get a law made for a whipping-post for yourselves, wives, and daughters.

"The Democrats tell you that Fusion is for peace and harmony. What does this mean? It means if you vote as they want they will allow you to vote, but if you don't vote with them they will not allow you to vote in peace."

"If we elect the Fusion ticket, what sort of peace and harmony will you have next year when we want to vote for a Republican President? The same sort of peace and harmony we had in 1875."

The judge is evidently not familiar with the politics of this county. We had a peaceful and quiet election here in 1875, the result of a fusion or compromise ticket, just the same as that elected here last November. If we have the same peace and quiet this year (which we will have unless the Independents stir up strife), the Republicans of the State and nation will say, "Well done, faithful servants."

Again, he lays aside the robe of modesty, and says, "Every vote for Fusion is a nail in the coffin of the Republican party. Every vote for the Independent ticket and H. R. Ware is a nail in the Democratic coffin."

The contents of the circular from which I take the above extracts aroused the Democrats throughout the county. The sheriff, who was a candidate for re-election on the Independent ticket, had also usurped powers which the Democrats said were illegal, and to which they would not submit. Notwithstanding the provocation, no violence was done these would-be leaders. The Independent ticket was not withdrawn, as the returns will show.

The only thing done to prevent men from voting was done by the Independents. I vote in the west ward, city of Canton. Every man voted there that wanted to on the day of the election. The Independents knew weeks before the election that they were defeated. They want some pretext to get the sympathy of the Administration and to capture the Federal patronage. Whenever a colored man is a candidate and defeated the election is *fair:* when an Independent is defeated the "ballot-boxes are stuffed."

In a card dated Nov. 19, 1883, in the State Ledger, a paper published in Jackson, Miss., Judge Ware says he is responsible for the circular distributed in this county on the eve of the election.

In writing of this I am actuated by no other motive than to perpetuate the present state of feeling between the races in this county. I feel it my duty as a Republican and citizen to exonerate the good people of Madison from such an unjust imputation.

The Republicans have several important county officers as the result of the recent election. The angel of peace is in our midst, and never since the emancipation have the whites and blacks been on such friendly political terms.

Investigating committees and "all sorts politics" will not bring us the much needed peace. The New York Times has the right conception of our troubles. If the Administration will cease to aid these disgruntled office-seekers I believe the day is not far distant when political troubles will be things of the past. I long to see the day when every county in this State can say, as Madison, "Peace, good will to all; malice toward none."

B. F. GARRETT,
Chairman Republican Executive Committee.

TESTIMONY.

TESTIMONY

NEW ORLEANS, LA., *Friday, February* 15, 1884.

The subcommittee met at the call of the chairman.

Present, all the members, Messrs. HOAR (chairman), CAMERON, FRYE, SAULSBURY, and JONAS.

LEON HARRIS MATTHEWS sworn and examined.

By Mr. FRYE:

Question. You are a brother of J. P. Matthews?—Answer. Yes, sir.

Q. Familiarly known as "Print" Matthews?—A. Yes, sir.

Q. The man who was killed on election day at Hazlehurst?—A. Yes, sir.

Q. How old are you?—A. I am about 32 years old.

Q. Where have you resided since your birth?—A. In Copiah County, Mississippi.

Q. How long had your father resided in Mississippi before you?—A. All his life.

Q. What members of the family are there living there?—A. There is my father, and there are ten children of us.

Q. All living there?—A. Yes, sir.

Q. What is your business?—A. I am merchandising.

Q. A copartner of "Print" Matthews?—A. Yes, sir.

Q. Were you a candidate for any office in the last election?—A. Yes, sir; for sheriff.

Q. You may state what that election was, and when it was.—A. It was on the 6th of last November, for county officers and members of the legislature.

Q. Were town officers elected at the same time?—A. No, sir.

Q. How long after were they elected?—A. About two weeks, I think.

Q. Is Hazlehurst an incorporated city?—A. Yes, sir.

Q. Represented by a mayor, aldermen, and council?—A. Yes, sir.

Q. Were you active in politics during the last campaign?—A. Yes, sir; I tried to be.

Q. What part did you take preparatory to the election?—A. Well, I canvassed the county, and rode all over the county, I suppose.

Q. As between colored and white voters, about what is the registration of that county?

The WITNESS. The total registration?

Mr. FRYE. Yes.

A. It is between 4,500 and 5,000; maybe a little over 5,000.

Q. How does it stand as between colored and whites?—A. It has been claimed by the whites that they were in the majority, and it is claimed by the colored that they are in the majority. I don't suppose that there is much difference either way, but I am inclined to think that the colored is in the majority.

Q. Are you familiar with the last registration that was taken?—A. No, sir; I don't know that I am. The registration has been revised so much, and been scratched about so much, that it is a difficult matter to test the vote by looking on the books. Sometimes they erase a man's name when he leaves, and sometimes they don't, you know.

Q. Was a canvass taken as between Democrats and Independents or Republicans at the last election?—A. Yes, sir.

Q. In your opinion how did the parties stand?

The WITNESS. You mean as to strength?

Mr. FRYE. Yes; as to numerical strength.

A. Well, we thought the Independent ticket would be elected by 400 or 500 majority.

Q. How many white Independents does your canvass show?—A. I think we have got 600 or 700, that is what we thought, what we could find out by making a canvass.

Q. State, as nearly as you can, the result on election day as between the parties.

The WITNESS. How the vote was counted?

Mr. FRYE. Yes; I mean in numbers only.

A. Well, the Democratic ticket was elected by some 2,000 majority, maybe more; in the neighborhood of 2,000. That is, it was counted that way; the final result was returned that way.

Q. How was that political campaign, active or otherwise?—A. It was pretty active towards the last.

Q. Will you state briefly the methods pursued by the opposition and the Independent party, prior to the election?—A. Well, there were appointments put out by the Independent ticket, and the Democratic legislators met speakers on the opposite side, and they canvassed the county thoroughly; that is, filled all their appointments around. They had some little disturbance in their speakings. On one or two occasions there was a little disturbance, but it didn't amount to any fighting or anything like that; it was just hard words, and speakers interrupted, &c., and hissed at. The members of the Independent ticket were hissed at by the other side.

Q. Was there any organization made against you?—A. Yes, sir; after they closed their appointments, why then they commenced to have a pretty lively canvass, organizing clubs all over the county.

Q. I want you to state about that.—A. Just before the election, also, they started out in armed mobs or bodies of men, and ranged over the country and killed some and shot others, and took some out and whipped them severely, and put the rope around some, I believe; they didn't hang any of them until they were dead.

Q. How large an organization was that?—A. Well, when I saw it, there was a hundred, perhaps a hundred and fifty.

Q. State whether they were armed and mounted.—A. Yes, sir; they

were armed and mounted; some of them did not have guns. You would call it an armed mob. Guns were plentiful all over the county.

Q. Were the operations of that company notorious in Hazlehurst, talked about by everybody?—A. Yes, sir.

Q. Can you state what outrages were committed around in the country portion of Copiah County?—A. Yes, sir; some two weeks before the election there was a body of them started out from the lower end of beat 3 and whipped three colored men; whipped one of them severely.

Mr. SAULSBURY. Is the witness speaking of matters of his own knowledge?

Mr. FRYE. Not entirely. I asked him to speak of the public reports.

The WITNESS. I saw where he was whipped, this one I was speaking of.

Mr. FRYE. You saw him after he was whipped?

The WITNESS. Yes, sir.

Q. He was a colored man?—A. Yes, sir; and I saw one after he was killed. This same crowd, they whipped these four. That is the crowd that is said to have killed this other one and shot his wife.

Q. What was that man's name who was killed?—A. Tom Wallis.

Q. What part of Copiah County was that?—A. That was the southwestern part.

Q. How soon did you see him after he was shot?—A. I don't recollect whether it was Friday or Saturday. I think he was killed Thursday night, and he lay all day Friday, and I think it was Saturday that I saw him.

Q. Do you know how many bullet-holes he had in him?—A. I didn't see the wounds; they just told me.

Q. Did you see his wife?—A. Yes, sir.

Q. Where was she shot?—A. I didn't see where she was shot. I saw her sitting in the house, and they showed me where the shot went in the top, went in the quilt that was hanging up. I looked in and saw the corpse; I saw where the bullets went in the door.

Q. Was there anything else that they did?—A. From hearsay they did a great deal down there; I do not know anything of my own knowledge, except what occurred at Hazlehurst afterwards. When I saw the mob they were in Hazlehurst; they marched into Hazlehurst there, and paraded the streets.

Q. How long was that before the election?—A. That was the day before the election.

Q. You may state the parade that they made then.—A. Well, they came into the town and marched around the public square and back to the court-house, and were addressed by Major Barksdale.

Q. The present member of Congress?—A. Yes, sir; and then they marched back through the town and around, and came up by my brother's house, in front of his gate, and marched down some three or four hundred yards to our store, and in front of our store, and Mr. Faler's store next door to us; they halted and held a consultation for a little while, and sent a messenger up to my brother's house; they waited there until he came back; when he came back and reported to them they consulted a little and got on their horses and went off.

Q. Were you there in your brother's house?—A. No, sir; I was in the store; my brother was up at the house.

Q. Did you see the message they brought your brother?—A. Yes, sir.

Q. What was it?—A. I do not know that I can give the words; it has been published; it was warning him not to vote next day.

Q. Was that crowd armed?—A. Yes, sir.

Q. Prior to that did they burn a church, a colored church?—A. Well, there was a church burned.

Q. A colored church?—A. Yes, sir; there was an attempt to organize a club out there one night at the church.

Q. A colored club?—A. Yes, sir; and there was a posse of men from Hazlehurst went out there, and they got scared and didn't organize and left the ground and scattered. There was a colored man named Oliver went out to organize them, and they found them out there; he was on horseback, and they abused him some, and a night or so afterwards the church was burned; may be the next night, I do not know, but it was burned up.

Q. Do you know, of your own knowledge, what message your brother sent to them?—A. No, sir; nothing only what they told me.

Q. At the time that Major Barksdale addressed this mob, had it marched in from the country?—A. Yes, sir; it had been raiding over the country for some time.

Q. Did they have their arms with them when they were addressed?—A. I was not at the speaking and could not say.

Q. They had them with them as they marched up to the building, did they?—A. Yes, sir.

Q. State whether or not they had a cannon?—A. Yes, sir; they had a cannon all over the country firing.

Q. For how long a time had they been firing a cannon over the country before the election?—A. For several days. They went to my brother's store—I have a brother who has a store in the country—and they went to his house, a big body of them, and shot at his store, and he in the house, and there were several holes in it.

Q. They fired into the store?—A. Yes, sir; and shot the cannon all around.

Q. While riding around through the country, they were firing for the fortnight before the election?—A. Yes, sir; firing at all times, and they waited on my brother the next morning with a lot of resolutions.

Q. The one who had a store in the country?—A. Yes, sir.

Q. Did you see those resolutions?—A. Yes, sir.

Q. What was the nature of them?—A. It went on to say that if certain parties were injured in any way, in person or property, I think it read, if there was any injury done to them in person or property, that they would hold the Matthews family personally responsible, and nothing short of their blood would satisfy.

Q. What were the relations between Mr. Print Matthews and the white people in that neighborhood, the Democrats and all?—A. Well, we had been doing business there, and our custom was as much or more from the Democratic people of the country as it was from the Republicans, as far as that was concerned.

Q. What was the nature of the business?—A. It was a furnishing business; credit under this deed of trust system.

Q. Explain that; you furnished goods to them?—A. Yes, sir; and men who were in that mob were then owing us, and they have run their property off under that deed of trust, and I am going to have a warrant issued for their arrest for removing the property.

Q. What is the custom there of your house in dealing with these people; what is the credit and method of doing business?—A. Well, if we think a fellow will not pay, we take a mortgage on his crop and stock for the payment of the supplies through the year, in the fall.

Q. Then the credit is a year, generally?—A. Yes, sir. Well, in Octo-

ber and November, when the cotton comes in, then the account is due. We make it due sometimes the first of October or November.

Q. And these dealings were as much, or more, with the Democrats as they were with the other side?—A. Yes, sir; and the man who killed my brother has got an open account there unsettled.

Q. What were the relations between your brother and Ras Wheeler?—A. They were friendly.

Q. He was the man who killed him, was he not?—A. Yes, sir. They were perfectly friendly. Not two weeks before the election, another brother and myself loaned him $200 to buy cattle with.

Q. What is his full name?—A. Erastus Wheeler.

Q. Had he been at your brother's house and dined, or anything like that, recently?—A. Yes, sir. A short while before the election he was at our house, at my brother's, and took tea.

Q. Was there anything prior to the day of the election to indicate ill feelings between your brother and this Ras Wheeler?—A. No, sir; not a word that anybody ever knew of. He had solicited us. He was a candidate for mayor.

Q. At this time?—A. Before the election came off, this man Wheeler was a candidate for the town election; and I have heard him myself ask my brother to support him in the mayor's election; and he was around there frequently; in other words, electioneering, to get his support in the mayor's election.

Q. You may state to the committee what took place there on election day.—A. Soon after the polls were opened my brother went in and presented his ticket to vote, and they shot him, killed him; Wheeler did.

Q. He went in in the early part of the day?—A. Yes, sir; as soon as the polls were opened.

Q. Where did you go in the morning?—A. He and I had breakfast at the table together, but I got through before he did, and I got up and asked him if he was coming to the store, and he said he was. I went to the store, and I found a wagon standing there with cotton, and I bought the cotton; it was a custom of ours; and I bought the cotton, and about the time I closed the trade my brother stepped up, and I asked him to go in and settle with Mr. Buckley, and I would take some tickets and go across the railroad. There are two voting precincts in Hazlehurst, one on each side of the railroad; and I told him I would go across the railroad and distribute tickets, and as soon as the polls were opened I would come back; and he said go ahead, and I expected to go over there and distribute the tickets and come back. But before I got back he was killed.

Q. How did you first learn that he was killed?—A. There was a colored man told me there was a gun fired across the street. I saw the crowds were agitated around, and seemed to be excited in some way, and it created some curiosity in my mind before this darky told me. As soon as he told me I broke over there. The door was closed where the voting was to be held; the polls was; the door was shut, and I shoved it; I think I shoved it a second time before they opened it; and then I went in, and he was killed. I don't recollect seeing but three or four parties in there—the inspectors. I recollect asking one of the inspectors who did it.

Q. Did he tell you?—A. Yes, sir; he told me that Wheeler had done it.

Q. What did you do then; take your brother home?—A. Yes, sir.

Q. He was shot just as he was voting, was not he?—A. The inspectors say that he handed his ticket in, and they were looking for his

name to mark it, to check it, and just as they called his name out, and the ticket was dropped in, the gun was fired; they shot him with both barrels in the breast. However, before I got over to where he was killed, I met a squad of six or eight men with guns, but I did not pay much attention to them. I think, though, the Wheelers were in the crowd.

Q. Were they white men?—A. Yes, sir; and they had guns.

Q. Were there any colored men there with guns?—A. No, sir; I didn't see any.

Q. Well, what followed after the death of your brother, on Tuesday, the day of the election, I mean, so far as the town was concerned; did this mob disband?—A. They left that evening and rode off, and that night there was another wing of them came through town and went out in an easterly direction, and raided over the country there, and took the tickets away from the colored people which I had sent out by them to be voted the next day.

Q. But that was before the election?—A. Yes, sir; that was the night before the election.

Q. They went out and raided the eastern part and whipped a number of negroes?—A. Yes, sir. Well, I do not know that they lashed any of them, but they bruised them, and beat them, and knocked them about.

Q. But I refer now to the time after the death of your brother; what did they do; did they disband?—A. I do not know; they were in arms all day on the streets.

Q. That is what I want to know; what were they doing?—A. Just parading over the streets. I saw five or six with guns take a darky up to the polls and march him back; I don't know whether they were forcing him or whether he went along voluntarily; but at any rate, they went along with him with their guns, and Wheeler was one of the men.

Q. Did they, the next day, parade the streets?—A. Yes, sir; they were over the streets, not on horseback, though, as they went the day before, but they were on the streets in squads with guns.

Q. Were they firing at all?—A. No, sir; I heard no guns. They fired a cannon soon after my brother was killed.

Q. How frequently did they fire that cannon after he was killed?—A. Only once. I think it was about the time they got into the house.

Q. What do you know, if anything, about a public meeting that they held subsequently where they passed resolutions?—A. I do not know anything, only just what I have heard about that. I saw the resolutions.

Q. Were they delivered to the house of your brother?—A. Yes, sir; handed to his son.

Q. Did the committee present them?—A. No, sir; there was only one man that presented them, but he said that he did it; that it was a voluntary act of his; that they had appointed a number of men to present those resolutions.

Q. How many; four to a beat?—A. I think, may be, it was four to a beat; I am not certain about the number, but it was a number of men to be selected, and he asked them not to do it; told them that there was sickness at my brother's house, and he would not like for a crowd of men to go there, and he asked them that he might carry it himself quietly to the house.

Q. That was before your brother was buried?—A. Yes, sir. Well, it might have been the day on the return from the burial, but I am not satisfied about it; I don't recollect about the time. It might have been

before or just after the burial. I was not at the house at the time he delivered it.

Q. Was any account of that murder published in the Copiah papers?—A. Nothing, except, maybe, a notice that he was killed, or something. There was no account of it.

Q. Where was the first account published?—A. I do not recollect what paper I saw it in.

Q. Was it in a New Orleans paper?—A. Yes, sir; I believe it was in the New Orleans Times-Democrat.

Q. Were any accounts published in the papers of the beating and killing of Tom Wallis, the burning of the church, &c.?—A. Yes, sir; I saw that. I saw it in the Hulls' paper, at Jackson.

Q. But not in the Copiah County papers?—A. No, sir; it was in the Tribune.

Q. What is the Tribune, politically?—A. It is an Independent paper, I reckon, or a Greenbacker, I don't know which. It is opposed to the Democracy, I know, from the tone of it.

Q. What family did Mr. J. P. Matthews leave?—A. He left a widow and five children.

Q. What has become of them since that time?—A. They moved to Oxford, Miss., directly after he was killed. His sons were going to school at Oxford at the time, and I advised his wife to go there.

Q. They now reside there; all of them?—A. Yes, sir.

Q. In regard to this crowd of armed men, mounted men, as you say, scouring the country before the election; did they say anything of their purposes, what they were doing it for?—A. Oh, it was said by all of them that they were going to carry the election, and if they could not carry it one way they would carry it another. Some would say carry it by shot guns, and I heard one speaker say that they would carry it if they had to carry it to the extent of the knife. I do not know what he meant by that.

Q. What were the arms these men were carrying who were mounted; what kind of arms?—A. They were shotguns, and some had pistols, and some may have had rifles. I never noticed the kind. I noticed one man with the ammunition for the cannon. He attracted my attention because he had so much of it buckled about him on his saddle and all around. He carried the ammunition for the cannon.

Q During the fortnight before the election, was this body of men scattered over the country?—A. Yes, sir; from reports they were going over the country all around, and these deeds were committed all round. I was not in the country, though, and I did not see them with my own eyes, and I do not know of my own knowledge. But they were evidently in the country, and there are plenty of witnesses to testify to the fact.

Q. Did you know any of them who were in this mounted band?—A. Yes, sir.

Q. Can you name some of them?

A. By thinking I could name twenty or thirty, I reckon. Do you want the names of some of them?

Q. Well, can you give the politics of those whom you know?—A. Only what they say, and their actions is proof.

Mr. SAULSBURY. He is testifying to the acts of individuals; had he not better give the names of the parties themselves?

The WITNESS. I do not hesitate to give them, if you want them.

The CHAIRMAN. The question was whether they were all of one party.

Mr. SAULSBURY. You have a right to conduct your examination as

you please, but at the same time the witness was asked who the parties were, and he said he could name them, and there he was stopped. I would prefer that the witness should give their names.

The CHAIRMAN. I asked Mr. Frye to ask the witness who the parties were, and what their politics were, with a view of seeing whether they all belonged to one party or not, and not with a view of getting their names. But, at the same time, your suggestion is entirely proper, and the names should be asked for also.

By Mr. FRYE:

Q. Well, you may give the names of the parties, so far as you remember them.—A. There was Mr. Erastus Wheeler; Mr. John McLemore; J. L. Meade, chairman of the Democratic executive committee, and editor of the mouth-piece of the Democratic party in the town and in the county.

Q. What is the name of his paper?—A. The Copiah Signal. There was also Joe Purser and a Mr. Camp—I believe his name is Mose Camp, but I do not know exactly—and Bill Higdon.

Q. Were there any young lawyers in the town belonging to the company?—A. Yes, sir; this Joe Purser was a lawyer, that I mentioned there. Well, those are the fellows that stopped in front of the store, right within a few feet of me, and that is enough, I reckon. I could mention more, but I might accidentally be mistaken and get them mixed. There was a bushel of them, that I could mention, in the general raid over the town that day. John B. Mayes was in it.

Q. I do not understand you that this whole crowd of one hundred or more traveled at the same time through the country; they went in squads, did they not?—A. I do not know whether they were in squads or all together; sometimes they said there were two or three hundred together, and sometimes not so many. I believe there were said to be about fifteen or twenty in this first squad, where they killed Tom Wallis. They left a rubber strap, which they had for whipping, about three or four feet long, and a rope.

Q. How thick was that strap?—A. It was a gin-belt, I forget how many ply, but one of the thickest gin-belts you see. It was about that long [indicating about four feet long], and had a handle about that long [indicating about a foot long], and shaped out just as if it was made for the purpose; and they left a rope there also—a small grass rope.

Q. You saw this rope and this thing they whipped with?—A. Yes, sir; I had it in my hand.

Q. Had your brother been speaking in this canvass?—A. Yes, sir.

Q. How much?—A. He had made four speeches.

Q. All of them in discussion, or did he speak alone?—A. I do not know. I heard two in discussion, and of the other two one was not. I heard it also; but there was one I did not hear. I don't recollect whether he had any opponent or not. It was made in the country.

Q. Those were the only four speeches he made?—A. Yes, sir; and I heard three of them.

Q. Was your brother active politically?—A. Well, he had good influence. He generally kept all the points up against the opposition, and made his case as strong as he could when the canvass opened. He had been a candidate himself before.

Q. Had he been elected?—A. Yes, sir.

Q. Was he a candidate for alderman the year before in Hazlehurst?—A. Yes, sir; and he was elected.

Q. How did his vote compare with any other man's vote the year before?—A. I could not say without looking it up. I could not swear to it accurately. I know he beat an old citizen there in the town.

Q. Did he not receive the largest vote that was thrown for alderman?—A. I could not say.

Q. But he was elected?—A. Yes, sir; he was elected, but I could not say as to the vote.

Q. Had he also been elected sheriff of the county?—A. Yes, sir.

Q. For how long had he served as sheriff?—A. He served two years. He served six or eight years—six years, I think, under appointment, after the surrender.

Q. How long did he serve under election?—A. I don't recollect whether he was elected for two terms or one term. He was elected one term I know of, and maybe two terms, but I am not satisfied which.

Q. This year that he was elected alderman—that was year before last—who was elected mayor?—A. Mr. E. C. Williamson.

Q. Was he an Independent or Republican?—A. I could not state his politics.

Q. Was he the candidate against the Democrats?—A. Yes, he was the candidate against the Democrats; but I do not know that they used politics in the election.

Q. You do not know that they had politics in that election?—A. No, sir. Now, some men may be so prejudiced that they won't vote for a man for anything—that is, in opposition to their politics, you know—while others will. For instance, a Democrat will vote for a Republican if he is a good man; and some men mix their ticket, while others won't.

Q. What was the disposition of your brother?

The WITNESS. In what respect?

Mr. FRYE. Well, did he have quarrels with his neighbors?—A. No, sir; I do not know of his having more than one or two real quarrels; he was not a quarrelsome man at all.

Q. Do you know of his ever having trouble with Ras Wheeler?—A. I never did.

Q. Do you know of any reason for this killing other than that he had received a notice not to vote, and yet voted?—A. That is all.

Q. Was he regarded as a leader of the Republicans in that county?—A. Yes, sir; in that county.

Q. What was the effect in Hazlehurst upon the vote that day of killing him; how many Republican votes were thrown in Hazlehurst?—A. I do not recollect. I have seen it, too, but I never charged my memory with it. There were no votes hardly cast, though, comparatively speaking; that is, on the Independent ticket.

Q. Yes, I mean on the Independent ticket; how was the other vote, do you know?—A. No, sir; I cannot state it; I do not recollect; I have seen it, of course, but I never charged my memory with it.

Q. Your town election, you say, was about a fortnight later?—A. Yes, sir; about two weeks.

Q. Was Mr. Wheeler elected to any office at that town election?—A. No, sir; he was made marshal by the aldermen after they were elected.

Q. Do the aldermen elect the marshal?—A. Yes, sir.

Q. Were the aldermen all Democrats?—A. Yes, sir.

Q. How long did he serve as marshal?—A. He resigned two or three days ago, I have heard. I do not know that he has resigned yet; it is just rumor in the town.

Q. Has Wheeler ever been tried for the crime?—A. No, sir.

Q. Have you ever talked with him since the murder?—A. No, sir.

Q. Do you know of anything that your brother had said or done calculated to lead to this murder?—A. No, sir; nothing; except that he tried to get this sheriff and the people to stop it when they were raiding over the country; he went to the sheriff and tried to get him to stop it, and he didn't do it; he said he had no authority to do it, I believe. And the next evening, after they visited my brother's store and shot into it, he came up to Hazlehurst, he and Dr. Barlow; and Dr. Barlow had a petition from a lot of citizens down there asking the sheriff to stop it, that it was terrifying the country, and he thought it was his duty to stop it. They went to the sheriff, and he said he could not stop it unless they would make an affidavit. Well, my brother, T. E. Matthews, and Dr. Barlow, made an affidavit before the mayor for the arrest of these parties—parties that he knew—and carried it to the sheriff, and he did not know who he would get to serve it. But at any rate he comes down to our house while we were at the supper table; some person knocked at the door; knocked at the gate; and I went out, and it was the sheriff, Hargrave, and J. L. Meade.

Q. The chairman of the Democratic executive committee?—A. Yes, sir; and John Lowe, a deputy of the sheriff; and they wanted to see Print; and directly he got through his supper he came out, and Hargrave told him that he had tried to get somebody to go out and make the arrests, and had not got any one, and that he would deputize him; that he was a suitable person; that he had been an old sheriff, and understood the business, and that he was a suitable person for him to deputize to go out and arrest the mob. Well, my brother said to him that he was informed, not longer than half an hour ago, that that was the programme of Mr. Meade, to have him deputized to go out, and send a posse of men along with him, and he was to be killed. Hargrave said that he would not do anything of that kind, nor had any motive of that kind. Well, then I asked him in the parlor; told him to come in and take a seat; that I wanted to show him something. My brother had got a letter out of the post-office signed by one hundred and fifty, which went on to recite a good deal, and I asked him into the parlor and read that letter to him.

Q. Well, was it threatening your brother?—A. Yes, sir; I read that to him, and I told Hargrave that it looked very strange; that it looked to us that it was a concocted plan between them to do this, because we had been notified. A party had told my brother that he had overheard Mr. Meade say this; and after getting this letter for him to come down to-day I told him I thought it looked mighty rotten, and I asked Hargrave if he would not think so under the circumstances, and he said yes, he would; but he would pledge me his word that he meant nothing by it.

By the CHAIRMAN:

Q. Was Hargrave a candidate for re-election?—A. Yes, sir.

By Mr. CAMERON:

Q. Was Mr. Meade present when this conversation took place?—A. Yes, sir; and my brother pointed to him and said, "This man Meade."

By Mr. FRYE:

Q. State whether or not your brother, in the presence of Mr. Meade, and pointing to Mr. Meade, informed Hargrave that, not half an hour before, a conversation between Meade and others had been overheard,

and that in that conversation this job to have him appointed a sheriff was provided for.—A. That was the conversation.

Q. That was the conversation which he reported to Hargrave, and Meade did not deny it?—A. Mr. Meade sat for a few minutes and did not say a word; Hargrave in the mean time was talking, and directly he says, "Only for its being in your house I would not take as much as that," or something of that kind; that was the purport of his answer.

Q. And this was this armed mob that Hargrave wanted your brother to arrest?—A. Yes, sir.

Q. Of which you say Mr. Meade was a member?—A. Yes, sir.

Q. How many of those letters and notices did your brother receive, do you remember?—A. Three, I believe; he received three and my other brother one.

Q. Is this one of them, a copy of it? [Handing a paper written in lead pencil to the witness.]—A. [After examining the paper.] Yes, sir.

Q. Have you copies of the others?—A. I had the original. I have not got it in my possession; another party has it.

Q. Have you the originals of the others?—A. No, not the original of that paper you have; that I have not got. That was the day before the election.

Q. This is dated the 5th of November, 1883?—A. We have got the one that was dropped in the post-office, and the one that was handed my brother; we have got the originals of them.

Mr. FRYE. I will read this:

Whereas it is thought that the public interest will be subserved by Print Matthews absenting himself from the polls on election: Therefore,

Be it resolved, That Print Matthews be ordered to keep within his own inclosure to-morrow.

Adopted by citizens of Copiah County this the 5th day of November, 1883.

[To the witness.] He showed all of these notices to Hargrave, did he not, or you did, at the time?—A. I showed the other one. He did not show that one. That had not come out then.

Q. Well, was any attempt made by the sheriff to arrest these people?—A. Not that I ever heard of.

Q. Were any of them arrested within your knowledge?—A. No, sir.

Q. Do you know A. W. Burnet?—A. Yes, sir.

Q. What was he—a citizen of your town?—A. Yes, sir; and a lawyer.

Q. A Republican?—A. Yes, sir.

Q. Was he shot at any time before that election?—A. Well, I say a Republican. He claimed to be a Greenbacker for a long time. I think about the time of the election he claimed to be a Republican.

Q. He was anti-Democratic at any rate?—A. Yes, sir; at any rate he was opposed to the Democracy.

Q. Was he chairman of the committee?—A. Yes, sir; he was chairman of the committee organized for the canvass.

Q. State whether or not he was shot there in town in the early part of the canvass?—A. Yes, sir; he was shot.

Q. Do you know how long he remained sick at the hotel after he was shot?—A. No, I cannot give the exact time, but I think it was some two weeks, though.

Q. Where was he carried from the hotel?—A. He was carried across the street to a part of the hotel that was occupied for sleeping rooms, across the street.

Q. Subsequently to that, where was he carried?—A. After two weeks, after he was able, we carried him to our house.

Q. How long did he remain at your house?—A. Up to the election, the night before.

Q. Was that at Print Matthews's house?—A. Yes, sir.

Q. Then did he leave?—A. Yes, sir; he went to Crystal Springs.

Q. Has he ever been back since?—A. Yes, sir; he came back to Hazlehurst after the election.

Q. He came back to your brother's funeral, did he not?—A. Yes, sir.

Q. Are these two sons of Mr. Matthews at college at Oxford?—A. Yes, sir.

Q. What are their names?—A. Simon Suggs Matthews is one, and the other is James Meredith Matthews.

Q. Were they at home before the election, either of them?—A. Yes, sir; Meredith was at home—I reckon it was the Sunday before election, maybe—from school.

Q. Immediately after the shooting of your brother, did this company march down to your brother's house with their cannon?—A. No, sir; they shot the cannon across the bridge from our house.

Q. How far out?—A. Well, I suppose it is as far from here as to across the street [indicating], or maybe a little further.

Q. Did they have a band of music?—A. They had a band organized and playing that evening, I recollect.

Q. They did have a band playing that evening?—A. Yes, sir; I don't recollect whether there was any music at the time the cannon was shot or not.

Q. Do you know Handy Fortner?—A. Yes, sir.

Q. Wasn't he whipped by a part of this band?—A. Yes, sir; so he says.

Q. I was going to ask you if you saw him afterwards.—A. Yes, sir; I saw him, and he told me that he went before the grand jury and gave their names.

Q. The names of the men who whipped him?—A. Yes, sir.

Q. Was any indictment found?—A. Not that I ever heard of.

Q. Did you see his wounds when he was before the executive committee?—A. No, sir; I never looked all over him. I saw his arms where he was hurt; but he told me that he was cut all to pieces; I could have looked, but I didn't care to look only at his arm.

Q. Was the matter called to the attention of United States district attorney to see if something could not be done?—A. Yes, sir.

Q. Do you know of any attempts that were made, other than that you have spoken of, to stop this beating and killing around Copiah County there before the election.

The WITNESS. Do you mean trying in any way to stop it?

Mr. FRYE. Yes.

A. I was not at home; but when I came home they told me that Ed., my brother, went to Jackson to see something about it. I do not know if Print didn't go with him; I wouldn't say positively; but I was out in the canvass, and they were in town, and when I came home they told me he had gone up to Jackson to see if something could not be done about it; but I could not state to whom they applied.

Q. Was it a notorious fact in town that Frank Hayes and wife were shot before the election?—A. Yes, sir; and it was reported they were both killed.

Q. Do you know whether anything was ever done about it?—A. No, sir.

Q. State whether or not it was reported that Daniel Crump's house was burned in the night.—A. Yes, sir. I was interested in Crump; he

was a customer of mine, and he came in and reported that he had been burned out.

Q. Was anything done about that?—A. No, sir; nothing that I ever heard of; oh, yes; they were arrested, but I don't know what became of the case; I had him go and make an affidavit against them.

Q. They were arrested; did anything ever come from it?—A. I think maybe they compromised it in some way; got him to stop it; at any rate there was nothing done about it; I could not say positively what was done with it.

Q. Was there an Orange Catchings whipped, too?—A. He was rammed and jammed about; I would not say what.

Q. And four others at the same time?—A. Yes; three or four the same night; they were hunting the tickets we sent out, and they dragged them about.

Q. What do you do about tickets; how do you get your tickets around through the country there?—A. They have them printed, and select certain men to carry them there, and distribute them, and not let them get lost or destroyed, generally a day or so before the election.

Q. They distribute them to their neighbors so that they may have tickets when they come to the polls?—A. Yes, sir; or on the day of the election distribute them.

Q. These five men were whipped for the purpose of discovering those tickets they had?—A. That is what they say; they went and jerked them around and asked them for the tickets, and I think Orange (this is only hearsay) told them that Bing Sandifer had them, and they went to Bing and jerked his shoulder out of place in the scuffle and bruised him about; I don't know whether they clubbed him or attacked him with their fists, or how it was, but they hurt his shoulder, making him tell where the tickets were.

Q. Did they get the tickets?—A. Yes, sir; I think, so.

Q. Were there a good many instances of their thus attempting to obtain the tickets that had been sent out?—A. Yes, sir. There is one other that I know of.

Q. What is that?—A, In the neighborhood of Crystal Springs, at Gallman precinct, the ticket was to be voted——

Mr. SAULSBURY. Mr. Chairman, this is evidently a very loose method of examination, and I only want to know to what extent it is to go, whether it is to be continued—this mode of examination as to rumors—or whether the witnesses are to be confined to matters within their personal knowledge. I make no objection to this mode of procedure, provided it is to be the mode of procedure to be continued throughout this investigation. It is very evident, and this gentleman states, that he does not know about these matters, except that the negroes said they were whipped and jerked about to make them give up the tickets. It is not a matter within his personal knowledge, but he is giving the testimony as hearsay testimony. If that is to be continued throughout the investigation, I have no objection. If, however, it is to be indulged in at present, and finally there shall be a resort to a more legal mode of taking testimony, I shall object to its being taken at the present time.

The CHAIRMAN. I suppose the present fact to be ascertained is the existence of rumors and accounts of these outrages and murders connected with political movements as affecting the election. Then those facts are to be proved afterwards by other sources. Of course, if they should end there, why we should not consider that anything had been proved.

Mr. SAULSBURY. My object in speaking now I will state distinctly.

If the witnesses on the part of the prosecution—if I may use that term—are allowed to indulge in hearsay evidence as to rumors of matters which are alleged to have taken place in Copiah County—matters of which they have no personal knowledge—then I shall claim the right, as I suppose my colleague in the minority will, that when we come to examine our witnesses on our side of the question we shall not be restricted in the examination either. I want a distinct understanding now, at the start, as to the mode in which this investigation is to be conducted. I do not object to this mode of investigation. I am perfectly willing that the gates shall be wide open and that everything shall come in, whether based upon personal knowledge or merely hearsay evidence; but I want the same rule applied to both sides of this investigation that is indulged in on the part of one. I state thus frankly and as succinctly as I can the position I occupy as a member of the committee.

The CHAIRMAN. Speaking only for myself, I suppose the same rule will be applied to both sides, if there be sides in the investigation; but at present it seems to me it is within the scope of the investigation to learn whether there was a reign of terror in that county to an extent which would affect the election, growing out of the rumors of crime of this character upon the persons who were active or interested on one side, and that is the fact which, so far, Mr. Frye has put in. I suppose any fact which comes within the same principle, no matter which side it affects, would be received by the committee.

Mr. FRYE. I do not mean, Mr. Chairman, to violate even the rules of evidence which prevail in the examination of witnesses before committees. I asked the witness if certain things were notorious in town—that is, if there was notoriety given to certain things in town, or common talk that such and such things had happened. The witness frankly stated, in every instance, where he had personal knowledge and where he had not. He did not disguise anything. He said in certain cases he had no personal knowledge, but that was the common talk, and I only intended to put it in that way; and certainly, speaking for myself, I should not object if the other side put it in that it was common talk in town that these colored men beat Democrats to get their tickets away from them.

The CHAIRMAN. When that comes up we will consider it. Mr. Matthews has testified to one fact within his personal knowledge; that is, that his brother died, and that he died suddenly at the polls; that he heard a gun fired, and saw his brother dead, with wounds in his breast. I suppose it would be competent if some other person, an active Republican, who did not see that, were to testify that he heard of it twenty minutes after, and that it was well known all through the country, and thereupon there were no Republican votes cast at that election. It does not prove the death of Mr. Matthews by hearsay, but it proves the effect of that death upon the election, and indicates whether or not it was a mere isolated crime like crimes committed elsewhere, or whether it was a crime with large and important political results. I suppose this gentleman, who was an active politician, and employed men to circulate the tickets of one party, and who says it was reported to him that those persons who had tickets were whipped until they were found and taken away from them; that that information coming to his knowledge does not prove the fact, but the fact that it was well known and had contributed to the reign of terror in the county which affected this election is the point at present.

By Mr. FRYE:

Q. Please state whether or not there was also talk in the community of an assault on Dave Bell, a Republican inspector.—A. Yes, sir; I have heard that.

Q. And also an assault at night on Solomon Smith?—A. Yes; I have heard of the assault on Solomon Smith.

Q. And on Napoleon Demars?—A. I might have heard of that; I did not have any personal knowledge of it; I do not recollect as to that. I suppose, maybe, I have heard of it, but I do not recollect, there are so many of them.

Q. At Hazlehurst did men appear armed on election day?—A. Yes, sir; I saw plenty of arms.

Q. Were any of the Republicans armed that you saw?—A. No, sir.

Q. Do you know how it was at Tailholt precinct; whether they carried arms there or not?—A. Nothing, only I have heard that they had guns there.

Q. Now, what was the effect; were there other cases of assault and beating and shooting that were current in the community before the election?—A. Yes, sir.

Q. Now, Mr. Witness, what was the effect on the day of election of all these rumors; what was the effect on the colored people?—A. Well, sir, they just scared them into the woods some time before the election. They did not sleep in their houses; they lay out. Some ventured to the polls and some did not; some went to the polls and did not vote; were scared off.

Q. You have been there at prior elections?—A. Yes, sir.

Q. Do not the colored men, as a rule, when it is peaceable, evince a desire to vote?—A. Yes, sir; they always vote, or heretofore have.

Q. What ticket do they vote?—A. They vote the Republican ticket, nearly all of them, in Copiah County.

Q. Are there any Democratic colored men amongst them?—A. There are two or three who claim to be Democrats. I do not think there was in this last election more than four; there might have been possibly, but not more than three or four or five noted ones. They might have been induced to vote, or hired in some way, and voted secretly, but there are no public Democratic colored people. I do not know how many votes they cast; I could not say, because I do not know how many colored people voted the Democratic ticket, but I know there were only three or four in the county who were thought to be Democrats.

Q. Have you any papers here which show just the vote on that day in Copiah County?—A. No, sir.

Q. Or the year before?—A. No, sir; not here; I suppose I might find them by looking them up.

Q. The term "beat" has been used two or three times. What is a beat?—A. Well, we have got five supervisors' districts; the country is divided into five districts, called beats 1, 2, 3, 4, and 5, and beat 3 is where the most of these outrages were committed; that beat was largely Republican; the raids were made mostly in beat 3.

Q. What are the election officers in a beat; you have a supervisor?—A. Yes, sir.

Q. And how many inspectors do you have at each precinct on election day?—A. On election day they have three inspectors at each polling place.

Q. And a supervisor at each beat?—A. The supervisors are for the county at large, these five supervisors; like the legislators, for instance.

Q And in each beat there are several polling places?—A. Yes, sir.

By Mr. JONAS:

Q. How many members are there of your family in Copiah County, who are voters?—A. Five.

Q. Including your brother who was killed?—A. No, sir; six with him. One moment; I will have to count. Yes, six, including my father.

Q. Have you a large family besides, there in the county, besides your brothers, father, and immediate relatives, and so on?—A. No, sir; I have only got one relative, I believe, in the county, on my father's side.

Q. Were you all present in Hazlehurst on the day of the election?—A. No, sir.

Q. You were there, weren't you?—A. Yes, sir, I was there.

Q. And your brother who was killed?—A. Yes, sir.

Q. And some of the other members of your family, who were voters?—A. Two others.

Q. You have said that no Republican, to your knowledge, was armed on the day of the election. Was not your brother armed?—A. Well, no man had a gun.

Q. You said arms. I was going to ask you, were you armed on that day?—A. I mean guns. I do not know what a man has under his coat.

Q. Had you arms in yours?—A. Yes, sir; I had a pistol.

Q. Had you any other arms besides a pistol?—A. No, sir.

Q. Was your brother who was killed armed?—A. Yes, sir; he had a pistol on him; I think they found a pistol on the floor after he fell.

Q. Had he any other arms about him?—A. No, sir. He might have had a pocket knife.

Q. Were any other Republicans armed to your knowledge, arms meaning pistols as well as guns?—A. They had pistols.

Q. Did any of them have knives besides?—A. Not that I know of, except pocket-knives.

Q. These outrages and whippings you speak of you say you learned by hearsay. You did not see any of those whippings inflicted, did you?—A. No, sir. I saw some gross outrages.

Q. Well, I am speaking of these whippings and these searchings for tickets?—A. No, sir.

Q. You know that all from hearsay?—A. Yes, sir.

Q. You do not know that these tickets were taken from these people of your own personal knowledge?—A. No, sir; only from hearsay. I know they didn't vote them that day. Our candidates were there and could not find their tickets; they had taken them away, and they went from one precinct to another to get tickets and went back.

Q. What candidate was that?—A. That was Mr. Enochs.

Q. What was he running for?—A. For chancery clerk.

Q. Were you present at the public meeting which passed these resolutions to which you have alluded?—A. No, sir.

Q. You know nothing of that meeting except from what you saw in the public prints?—A. That is all, and what I hear.

Q. The majority of the testimony you have given is to outrages committed by men, and bodies of men, armed, throughout the country. That is given from hearsay, is it not?—A. No, sir; the biggest evidence is I saw the dead body myself.

Q. Did you see the man killed?—A. No, sir; I saw the blood on his body.

Q. Did you see anybody whipped?—A. No, sir; I saw nobody killed or whipped.

Q. And none of these outrages were committed in your presence?—A. No, sir; except fellows on the highway with guns, hollowing and making all sorts of noises.

Q. How often did you meet those men on the highway?—A. I saw them in Hazlehurst the day before the election, parading the streets.

Q. Was there not a political meeting there that day?—A. Not that I know of.

Q. Was that the day Major Barksdale addressed the people?—A. Yes, sir.

Q. There was a political meeting there, then?—A. Yes, sir; I suppose there was.

Q. And he was a candidate for Congress, was he not?—A. Yes, sir.

Q. And he spoke there that day?—A. Yes, sir. I don't recollect his being advertised.

Q. But there was a political meeting?—A. Yes, sir.

Q. On what other occasion did you see them in any number riding about the country and terrorizing the country, armed men, at night or day, in large bodies?—A. I never saw them before then. In 1875——

Q. We are not speaking of 1875; we are investigating this matter.—A. I do not know that I saw them only that day and night.

Q. Well, the day and night you allude to is the day and night before the election?—A. Yes. Well, I did not see them at night either; I only heard their horses.

Q. Then you only saw them in Hazlehurst on the day before the election?—A. Yes, sir. I might possibly have seen them ride out of town before that several times. I was not about town much, though; I was in the country electioneering.

Q. Did you ever meet them in the country?—A. No, sir; my canvass was about over before that.

Q. Did they trouble or disturb you at all?—A. Yes, sir; they made me feel bad.

Q. Did they trouble you or offer you any violence?—A. No, sir.

Q. Did they stop you on the road?—A. No, sir.

Q. Did they interfere with your canvass by violence, or outrage, or intimidation?—A. Yes, sir.

Q. State when and where.—A. Well, we had a man to canvass for us and they stopped him and went to his house. That is hearsay, too.

Q. But I am speaking of yourself?—A. They scared him out of the country, and would not allow them to go in the neighborhoods where we expected colored support.

Q. You made an accurate canvass in that whole county yourself?—A. Yes, sir; the best I could; and had these other men do it.

Q. You rode over it yourself?—A. Yes, sir; pretty much.

Q. Did you go through every beat?—A. Yes, sir.

Q. How long were you engaged in that canvass?—A. Three or four or five weeks.

Q. During that time did you meet any of these bands of armed men?—A. I met parties belonging to the armed men.

Q. Did yourself meet these bodies of armed men?—A. No, sir; because I was not in the country much. They only started a short time before the election. I was in one part of the county where they were riding on one Thursday before the killing of Tom Wallis; and Saturday I happened there and saw his corpse, but I did not meet them. That was done at night.

Q. But was any outrage or violence ever offered to you?—A. No, sir.

Q. Was any offered to your brother before this affair in which he was killed?—A. No, sir.

Q. Or to your father, or any of that family?—A. No, sir; nothing more than these drop letters and rumors. We could hear plenty of rumors about what this man or that man would say.

Q. You say drop letters. Do you know who those letters came from?—A. They were signed "150."

Q. You do not know the handwriting. There were no names attached to that, were there?—A. No, sir.

Q. They were anonymous letters dropped in the post-office?—A. Yes, sir, but of the same tone as those that did have names, though, and delivered by the parties.

Q. What letters had names that were delivered by the parties?—Well, I do not know that there were any names. I do not know whether there was a name to that document or not, but I know it was delivered by a member of the club.

Q. You have not mentioned any letters signed by name?—A. Well, those resolutions I am speaking of.

Q. But they are not letters. The resolution is another thing. None of these letters you received were signed by them?—A. No, sir.

Q. Were you about in Hazlehurst the day of the election?—A. Yes, sir.

Q. Did anybody trouble or molest you?—A. Well, as soon as the murder occurred I was not on the streets.

Q. Have you been in Hazlehurst since?—A. Yes, sir.

Q. Conducting your business—carrying it on?—A. Yes, sir.

Q. Have you been troubled or molested since?—A. No, sir; but I was warned to be careful, and I have been careful.

Q. Has any violence or outrage been offered to your family?—A. I do not know whether you would call it an outrage or what it was. My sister went down to the train one night to meet another sister, and there were men in masks, with great long false whiskers, there, and they shined the lamp around there at them.

Q. Do you know who they are?—A. No, sir.

Q. Did they say anything?—A. I think they, maybe, grunted or blated like a wolf or something; made a peculiar noise.

Q. You are still carrying on business in Hazlehurst?—A. Yes, sir.

The CHAIRMAN. It might be convenient to put in the census statement of the population of these beats, &c. I will read it, and would like to have the stenographer take it down. The census of 1880 shows the population of Copiah County to be 27,552:

Beat No. 1, including Hazlehurst town, in 1880 contained	7,518
Hazlehurst town itself	463
Beat No. 2	5,523
That is made up of Beauregard town, population	517
Wesson town	1,707
Beat No. 3	3,882
Beat No. 4	4,171
Beat No. 5 (which includes Crystal Springs village)	6,458
Crystal Springs village itself	915

By the CHAIRMAN:

Q. What is the occupation of the people of Copiah County outside of these villages?—A. They are farmers principally. They raise cotton mostly.

Q. What is the occupation of the people of the town of Hazlehurst?—A. It is like all other towns. There are some business men there, and there is a heap of loafers; and there are merchants and lawyers.

Q. There is no manufacturing?—A. No, sir.

Q. Is Hazlehurst the county seat; is the court-house there?—A. Yes, sir.

Q. I understand from Mr. Jonas that the town of Beauregard has been destroyed?—A. Yes, sir.

Q. What is Wesson, a manufacturing town?—A. Yes, sir; that is a manufacturing town; cotton and wool.

By Mr. FRYE:

Q. In giving the names of these people where outrages were rumored; state whether or not they were all Republicans, that is, opposed to the Democratic party.

The WITNESS. Those that were outraged?

Mr. FRYE. Yes.

The WITNESS. Yes, sir; they were all Republicans.

Q. You may also state whether or not the men in the organized company, so far as you knew them, were Democrats.—A. Yes, sir; they were.

JOHN MEREDITH MATTHEWS sworn and examined.

By Mr. FRYE:

Question. You are the son of Mr. Print Matthews?—Answer. Yes, sir.

Q. How old are you?—A. I will be twenty-one in June.

Q. Where are you living now?—A. In Oxford, Miss.

Q. Are you in college there?—A. Yes, sir.

Q. With your brother?—A. Yes, sir.

Q. What is your brother's name?—A. Simon Suggs Matthews.

Q. Is your mother there, and your two sisters?—A. Yes, sir.

Q. They are living there?—A. Yes, sir.

Q. How long before the last November election were you at Hazlehurst?—A. I was there Saturday and Sunday before the election; I came from college down there.

Q. At your father's house?—A. Yes, sir.

Q. And when did you leave; Sunday night?—A. Yes, sir; Sunday evening.

Q. For Oxford?—A. Yes, sir.

Q. When were you there again?—A. When I was telegraphed for after father was killed.

Q. When did you arrive?—A. At 1 o'clock at night.

Q. Please state to the committee what passed under your observation that Saturday and Sunday that you were at your father's house.—A. Well, when Dr. Barlow asked my father to go with him, with this petition of sixty men from beat 3, to Hargrave, asking for protection, he went, and I went along with him.

Q. You are speaking of the petition that Mr. Matthews spoke of, the former witness, as being signed by sixty or eighty men asking for protection for the people?—A. Yes, sir.

Q. You went with Dr. Barlow?—A. Yes, sir.

Q. State what took place.—A. They asked Hargrave for protection of the people, and I believe told him that if he could not get anybody to go out there, if they would deputize those sixty men, that they would protect themselves if authorized to do it, and they would stop it. He said he could not do anything without affidavits were made, and an hour or so passed in conversation there in the town, and they went down to the drug store; the mayor of the town was a druggist there, also.

Q. What was the mayor's name?—A. Williamson. But in the mean time my uncle came in from the country. He had a store out on his plantation, and he brought some shot that he had picked up there that they had shot through his house the night before, and he also brought a resolution that two men came back the next morning and handed him, and which applied to himself and all the family, women and children.

Q. Did you see the resolution?—A. Yes, sir; I read it. I don't remember the substance of it now; I believe, though, it is here somewhere; I don't know whether they have it or not. But Barlow and these other one or two men that came with him, also my uncle, made out affidavits against what men they knew that were in the mob, and Mr. Williamson placed them in the hands of the sheriff to be arrested.

Q. Now wait a moment. Do you know how many they made out the warrants against?—A. I do not, but they had several, a good many, all that they knew.

Q. Do you remember the names?—A. I know that they made them out against—I heard them calling over the names—Frank Thompson, and a fellow named Mitchell, and Mr. Bailey, and I do not know who else. I heard the names at the time, but I do not remember now.

Q. These warrants were given to the sheriff?—A. Yes, sir.

Q. What else took place?—A. I asked the mayor about them and he told me they were never served nor never returned to him; they were not returned served or unserved. We were occupied there at the drug store until about half past eight o'clock at night. We started to the house and we met a negro man, and he called pa off and had a talk with him, and as we walked on, pa said that he had just overheard a conversation of Mr. Meade and several others; that they had fixed to appoint him to go out and arrest these men and would send other parties along that would kill him before he got there; that he would never come back alive. But we didn't give much credit to the report, and while we were sitting down to supper these men came to the gate.

Q. Who were they?—A. Mr. Hargrave and his deputy, Mr. Lowe, and Mr. Meade.

Q. Meade was chairman of the Democratic executive committee, was he not?—A. Yes, sir. Pa did not go out at first; he waited, I believe, until he got through supper. But I was out there when he came out; I do not remember whether I was the first one that went out or not; I do not remember; but I was there when he came out. Mr. Hargrave told him that he had concluded to deputize him to go out and arrest this mob; that he was an old sheriff and understood the business, and he thought he was the proper man to do it. Pa told him that not a half hour before that he had been informed of a plan that Mr. Meade and others had fixed upon to assassinate him. I think he told them that if they were going to murder him they might just as well come there and murder him as to get him off there and assassinate him; and my uncle, the witness last on the stand, invited him in the parlor, and they went in there, and there were three letters read, drop letters. I do not know whether they were dropped in the post-office or not, but I heard the letters read.

Q. Threatening your father?—A. Yes, sir; one was signed "150," and, I think, one "Citizens," and I do not know what the other was signed, probably "X" or something. Hargrave and all disclaimed knowing anything about it, as a matter of course; they went along out, and the next morning was Sunday morning; part of the mob came in town Saturday night, and I suppose they were there Sunday morning; I know they went back, for I saw many going back on horses and mules with their shotguns on Sunday morning; some of the crowd, I know

that warrants had been issued for their arrest and placed in the sheriff's hands the night before, and it was generally understood, and I heard, that he had deputized these men to go out after the others—the very men that affidavits has been made out against.

Q. The men against whom warrants had been made out had been deputized by him to go and stop the others?—A. Yes, sir. The reason why I was there was I got a leave of absence from college to attend the State fair; one of the professors went with me, and I wrote him that we would spend Sunday home; come down Sunday morning on the mail train, which gets there at 5 o'clock; but we got to Jackson Thursday night and spent Friday in Jackson, and I was in conversation with Judge Wharton, the circuit judge of that judicial district——

Q. Is he a Democrat?—A. Yes, sir.

Q. Is he a leading Democrat there?—A. I don't know whether he leads much; yes, he might be a leader there too; he leads what he can; he gave me to understand in an hour and a half's conversation I had with him, that there was going to be trouble in Copiah County, and that it was going to be pretty bad, and that it would either take place the next day, which was Saturday, or on the day of election; so I didn't wait for Sunday; I went home that night; I had promised the chancellor to be back on Monday for recitation, and pa insisted that I should go back on Sunday evening; I asked him to let me stay and he said no, he did not think there was going to be anything; that he had sort of expected it, but he thought if there had been anything it would have been Saturday. He thought everything would go on smoothly; he did not think they would try to do anything, though he concluded to go with me to Jackson and see Mr. Lowry, the governor; the sheriff had refused to give assistance and he went to Jackson, so he told me, and applied to the governor for protection. I left him at Jackson and went on; I received a telegram Tuesday afterwards, about 12 o'clock.

Q. Of the death of your father?—A. Yes, sir; then I went down; the secretary of state was on the train, and when we got on and he got off, there were about twenty boys down to the train with him, and he stepped off and asked one of the boys what we were going home for, and he told him, and then he told me that from what was said he knew it would be done, although he had not heard of it, but he knew it would be done that day.

Q. That was the secretary of state?—A. Yes, sir; the secretary of state, Mr. Myers. I was sitting in the car at Jackson, and there was a pretty good crowd got on the train, and there were three men walked through the car (I do not know that they were in uniform), but one had a sword buckled around him, and all had guns; one was named Robinson (a young man), one named McDaniel, and the other General or Colonel Powell, I do not know which; but just before we got to Crystal Springs Mr. McDaniel came through the car and told me that his lieutenant would like to see me in the baggage car. I told him to tell his lieutenant if he wanted to see me I was in that car. In a few minutes the three men came into the car where I was and said that they had been sent down by the Government with guns and ammunition to preserve the peace, and one thing and the other, and offered their assistance, their protection, to me. I told them I didn't think it was necessary, and besides, if it was, I did not think the assistance they would give would be of any benefit to me, or acceptable. At Crystal Springs Mr. Jordan, one of the Democratic bulldozers, came in the car and took a seat by me; he is marshal of Crystal Springs; he told me that he had just come from Hazlehurst on the train they met there, that he had just

come up to meet me, and he broached the subject and commenced talking about the murder, that it was a great outrage, and all this kind of thing, to start out on; and he asked what I proposed to do about it. I told him that I didn't know if I could do anything; that I did not know. Then he said, "Well, by God, you need not kick; you can't do a damned thing now." I told him that probably I could not, but that every dog had his day, sooner or later. About that time young Mayes and young Ware came in the car and told me they had come up to meet me, and understood that Wheeler, Hart, Bailey, and the crowd were to meet my brother and myself at the train and have a fuss and probably kill us, and that they had come up on the train. We got to Hazlehurst and the wife of Dr. Wheat, one of the professors of Greek at the university, came down with us, and my brother was with her, and I was with these two young men and we passed through the crowd. They did not say anything to me, neither did I to them. They seemed to be employed in unloading their guns.

Q. They had their guns, did they?—A. Yes, sir; they had their guns. Then Wednesday the band was playing on the street and the cannon shot once I know, if not more.

Q. That was after your father was killed?—A. Yes, sir; and they had speaking.

By the CHAIRMAN:

Q. Your father was killed Tuesday and this was on Wednesday?—A. Yes, sir; they had speaking; I do not think it was in the court-house; I think it was in the street, probably on the gallery over the bank. I know it was not in the court-house, because I could hear the speaking distinctly from that house, that is, his voice, and the hollowing and yelling and everything of that kind, the shooting of cannons, the playing of the band, and the marching around. And they held a mass meeting that day; I was not there and do not know what they did, only what was handed me. They did not bury the corpse though until Thursday; it was impossible to get the vault finished, and the workmen were afraid to work at night; they just worked in the day-time.

By Mr. FRYE:

Q. They were afraid to work at night you say?—A. Yes, sir. And Thursday—well, Tuesday and Wednesday night, and Wednesday all day, nearly everybody was going all over the streets all day and all night with their guns. You could see them at any time of night or day that you wanted to. I heard they kept the roads guarded, but I do not know how true that is. I heard that they kept the roads guarded and turned back a good many of our friends who wanted to come in; but there were many of them came through the woods though, and slipped in. Then, just as I stepped out of the carriage on returning from the burial, and before they had all returned, a man named Jehu Butler walked up to the fence and called me out, and went on to say that he hoped that I would not think hard of him of what he had done, &c. He had these resolutions in his hand and said they were sent there; that the mass meeting had appointed four from each supervisor's district, making twenty from the five districts, or beats rather, to deliver these the day before, while the corpse was in the house; but he told them that rather than to do that (he was on good terms with the family) he would volunteer and bring them the next day after the burial if they would do that, and I believe, after several men insisting on it, he said two or three men got them to do the same thing, to postpone it until after the burial; I think Dr. Oatis for one; and they concluded to let him

bring them the next day, and he handed them to me as soon as I returned from the burial. I staid there about a week, I believe, and day and night this same thing, shot-guns all over town, night and day, and they were there when I left.

Q. Have you got a copy of those resolutions?—A. I do not think I have them with me. My trunk did not get here, and I think they are all in my trunk.

Q. The former witness referred to several different resolutions in the course of his testimony. There was a resolution sent to Mr. Matthews prior to election day, but these resolutions now referred to are the resolutions sent after the death of your father, and delivered to you by this gentleman. Please look and see if those are the resolutions to which you refer [handing the witness a paper].—A. Yes, sir; I think they are.

Q. Mr. FRYE. Will you please read them?

The witness read as follows:

Whereas certain rumors are current that the relatives of the late J. P. Matthews have threatened the peace of society, in order to avenge his death, by killing Democrats and destroying their property; Now, therefore,

Be it resolved by the people of Copiah County in mass-meeting assembled this day, at the court-house of said county, That if any person shall be injured, or an attempt made to injure him, either in person or in property, in any manner, by the said relatives or friends of said J. P. Matthews, that we hereby declare that we will hold his said relatives and friends who participate accountable for the same, and that we will regard them as without the pale and protection of the law and common enemies of society, and that we will visit upon them certain, swift retribution.

Be it further resolved, That so long as the friends and relatives of the said J. P. Matthews obey the laws and become good citizens, we hereby pledge them the protection of the law.

Resolved further, That in the opinion of this meeting it is necessary to the safety of society and the welfare of all races and classes in this county that the Matthews family shall keep out of politics in Copiah County.

Resolved further, That from henceforth no man or set of men shall organize the negro race against the whites in this county, and if it shall be attempted in the future, we hereby give notice that it shall be at the peril of the person or persons attempting so to do.

Resolved, That we do hereby pledge ourselves, each to the other, our lives and fortunes and our sacred honor, that we will, all and individually, from henceforth, hold ourselves in readiness to enforce the foregoing resolutions, and to meet at any time upon the call of the chairman of this meeting.

Resolved, That a committee of twenty-four from each supervisor's district be appointed by the chair to present a copy of these resolutions to the brothers and sons of the late J. P. Matthews, and that the same be published in the Copiah Signal and the Crystal Springs Meteor.

Resolved by the citizens of Copiah County in mass-meeting assembled, That the honors heretofore worn, and worthily so, by beat No. 2, be, and the same are hereby awarded to beat No. 3.

Be it further resolved, That this resolution is by no means intended to reflect upon the past and present services of beat No. 2, but to show our appreciation of the result of the election of the ticket in beat No. 3.

It is also resolved, That the clubs continue their organizations, and consider themselves not disbanded, subject to the call of the chairman of the Democratic executive committee.

Resolved, That the thanks of this meeting be extended to the Hazlehurst brass band for their services on this occasion.

J. L. MEADE,
Chairman.

JESSE THOMPSON, Jr.,
C. J. ALLEN,
Secretaries.

By Mr. FRYE:

Q. Mr. Meade was chairman of the Democratic committee, was he?—A. Yes, sir.

Q. Who were these secretaries, Democrats and white men?—A. Yes, sir.

Q. Men of fair standing in society?—A. Yes, sir; I suppose so.

Q. Beat No. 3 was the beat in which your father was killed, was it?—A. No, sir; he was killed in beat No. 1. Beat No. 3 is a great Republican beat. There are about three to one Republican votes or Independent votes more than Democratic votes.

Q. Three to one?—A. Yes, sir; and probably more than that.

Q. Was it carried Democratic at this last election?—A. Yes, sir.

Q. And that was the reason that he wants them transferred to beat 3?—A. Yes, sir.

Q. Beat No. 2, which had borne the honors up to that time, what was that?—A. Wesson is in beat No. 2, and I think that old Oliver—I know he does, if one of those operatives refuses to vote the Democratic ticket they will discharge him. I know they did it once.

Q. So that that beat is Democratic?—A. Yes, sir.

Q. And that has worn the honors as the Democratic beat?—A. Yes, sir.

Q. I simply wanted to know whether beat No. 2 was a Democratic beat.—A. Yes, sir; it is a Democratic beat.

Q. Are there any other facts within your knowledge in regard to this matter?—A. I do not remember any.

Q. How soon after the burial of your father did your family leave for Oxford?—A. They arrived at Oxford on the 29th of November.

Q. Have you been back to Hazlehurst since?—A. Yes, sir; I was back there about two weeks ago; not quite two weeks ago.

Q. Did you at any time when you were there see this organized company of men?

The WITNESS. Before the election?

Mr. FRYE. Yes.

The WITNESS. I saw them, a good many men, go out with shotguns Sunday morning.

Q. You did not see them Saturday?—A. No, sir; they were not in town Saturday.

Q. Were they mounted men?—A. Yes, sir.

Q. How many should you say that you saw go out?—A. They did not go out all together. You would see may be three or four at a time, and may be you would see one go and in a minute another go, and directly six would go, just in that way.

Q. Scattering along?—A. Yes, sir, scattering along; and I saw some ride up and stop at the gunsmith's shop and get guns, and then go on.

Q. What kind of guns did those men carry; Springfield rifles or muskets or shotguns?—A. I do not know that; I did not notice the guns particularly. It looked as though they might be shotguns.

Q. Have you any of those original resolutions?—A. I have the original resolution that was sent the evening before the election.

Q. Have you that with you?—A. No, sir; I haven't it in my pocket; I think it is in my trunk, which failed to get here; I have the original resolution, which you read.

Q. Then this is a copy of the resolution which was sent to your father by this organized company of men before the election, the one which I read, which is written in pencil and dated November 5, 1883 [handing the paper to witness]?—A. [After examining the paper.] I do not think that contains all of it.

Q. If you have the original, I wish you would bring it with you.—A. I have the original which my mother has; she says it is the orig-

inal, and I have it. I was not there when the resolution was brought. I do not think that contains quite all of the resolution.

Q. Do you know Ras Wheeler, who killed your father?—A. Yes, sir.

Q. What is his business in Hazlehurst?—A. He is a cattleman.

Q. A man on familiar terms with your father?—A. Yes, sir.

Q. Do you know whether or not they were friendly with each other?—A. Yes, sir; they were friendly.

Q. Had you ever seen Mr. Wheeler at your father's house?—A. I never saw him at the house, I have seen him at the store; before I left there, there was never a day scarcely passed but what he would come around and sit and talk for an hour or two.

Q. Was he a customer at your uncle's store?—A. Yes, sir.

Q. Did he have credit there?—A. Yes, sir.

Q. Do you know of anything which took place at home to disturb the friendly relations between the two?—A. No, sir.

Q. Anything outside of politics, I mean?—A. That is all.

Q. Did you hear your father make any speeches?—A. Yes, sir; I heard him make two.

Q. Was there anything in those speeches calculated to arouse hostility?—A. Nothing whatever; at one, he and Mr. Miller divided time.

Q. What Miller was that?—A. The Democratic candidate for district attorney.

Q. They divided time you say?—A. Yes, sir.

Q. Was there any complaint at that time that your father's speech was incendiary?—A. None whatever.

Q. Did not Mr. Miller state something about it himself in a public speech?—A. Yes, sir; he stated that there could be no objections made against the Independent ticket, and if the county affairs fell into the hands of the Independent ticket they could rest assured they were in safe and good hands, or something of that kind; it amounted to that in his speech.

Q. He made no complaint of your father's method of talking?—A. No, sir.

Q. Did you know the men on the Independent ticket yourself?—A. Yes, sir.

Q. Were all of them white men?—A. Yes, sir; I believe so; on the county ticket, I know they were.

Q. Men of fair standing in the community there?—A. Yes, sir.

Q. Your father had been sheriff?—A. Yes, sir.

Q. Quite a number of years?—A. I do not know; I think he was sheriff seven or eight years.

Q. Was there any complaint made that he did not settle his accounts and pay over the balance?—A. No, sir; I think he is the only sheriff, though, who has ever gone out of the office that was not sued (that is where the bondsmen were not sued by the county) as a defaulter; he is the only one.

Q. Do you know of your father having any difficulties there which should lead to this matter?—A. None, whatever; he was a man who never had any difficulty.

Q. What was his disposition?—A. He was a man who never got mad, and never had any difficulties; I never have know him to have but one or two little difficulties, and none lately.

Q. Was he a lame man?—A. Yes, sir.

Q. A large-sized or small-sized man?—A. He was a small man; he weighed 135 pounds, I believe.

Q. You never have had any conversation with Mr. Wheeler since the murder?—A. No, sir.

AMOS W. BURNET sworn and examined.

By Mr. FRYE:

Question. Were you formerly a resident of Hazlehurst?—Answer. Yes, sir.

Q. How old are you?—A. I was thirty-one the 12th day of this month.

Q. What is your business?—A. Lawyer.

Q. At Hazlehurst?—A. Yes, sir.

Q. How long have you been a practicing lawyer there?—A. I have been practicing there for three years.

Q. Were you born in Mississippi?—A. I was born in the adjoining county to Copiah, Hinds County.

Q. How long have you lived in Copiah County?—A. Since January, 1879.

Q. Are you well acquainted with the people of Copiah County?—A. Well, yes, I am very well acquainted with them. I was the nominee on the ticket for the State senate in 1881, and canvassed Copiah and Claiborne Counties, the two counties forming a senatorial district.

Q. Were you elected?—A. No, sir; they did not elect anybody.

Q. You were the Republican, the Greenback or Independent, candidate?—A. Yes, sir. We had a fusion of all elements in opposition to the Bourbon Democracy.

Q. Were you chairman of the executive committee in this last election?—A. Yes, sir; I was chairman, and this was a fusion between the Republicans and the Independents of Copiah County. They first elected Col. Ben. King chairman, but in consequence of ill-health he could not serve, and then I was elected to fill the position.

Q. While acting as chairman of the executive committee, what action, if any, did you take in the early part of September touching a supervisor or inspector?—A. It was advertised thirty days in advance that the State board would meet on the 4th to name the county commissioners of election. We held a meeting of the executive committee on Monday, and they decided that I and Mr. Matthews should go to Jackson.

Q. You and Print Matthews?—A. Yes, sir; the man who was killed; and try to get our man appointed. We had recommended some fifteen good white men to represent us on the election commission for that county. We had learned from good authority that J. L. Meade, the chairman of the Democratic executive committee, had recommended a colored man who was then electioneering for the Democratic ticket, and he was a very illiterate fellow also. The executive committee decided that I must go to Jackson and by all means defeat this appointment, for if he was appointed we should just abandon the canvass at once—it would not be of any use to go any further.

Q. Did you go?—A. Yes, sir.

Q. Did you defeat the appointment?—A. I did.

Q. Did you get a good man appointed?—A. Yes, sir.

Q. Did you return?—A. I returned on the night of the 5th of September; on Tuesday night.

Q. On the 6th of September, without going into the details of what led to it, state what took place about this shooting.—A. Well, on the 6th of September, as I left my room on the morning of the 6th, and was passing the corner of the hotel, a kind of a dead-head of a young fellow around there that did nothing——

Q. Had he been formerly connected with a Democratic paper?—A. He had formerly been a compositor on the Signal, the paper that Mr. Meade, the chairman of the executive committee, is editor of.

By Mr. JONAS:

Q. What is his name?—A. Charles Hart. You can find out his occupation from some Democrat; I don't care to tell that.

Mr. SAULSBURY. I thought you said he was a compositor.

The WITNESS. Well, he had been; but he was doing something else at this time. He remarked to me, he says, "I understand that you say you didn't make sport of Bailey the other night." I remarked to him that I had not, and, furthermore, I could prove that I never mentioned Bailey's name. And he remarked, "You are a God damned liar," and commenced drawing his pistol. His pistol caught in his pocket, and I got hold of my knife and made a lick at him, and he ran about fifty yards away, and I saw that he was going to shoot me, and just as I got to the door he shot me right through there [indicating the groin].

Q. How many men were there with this Hart at the time this took place?—A. I think there were eight.

Q. Democrats?—A. All Democrats.

Q. Were they standing near him?—A. All right in a group; and just as I came along they separated. After what took place, I concluded they separated for the purpose of killing me, whichever way I went. There were two went north, just above, in the direction I was going, and two of them went south, and there were two that came east, and then there were three that stood right there at the corner, Hart standing right at the corner of the hotel, and Bailey and another fellow stood here [indicating], at an angle of about 45 degrees, so that as I got in front of Hart, Bailey would be at my back, so that if I attempted to shoot him he would shoot me in the back.

Q. Did you have any pistol?—A. No, sir.

Q. What kind of a knife was it you had?—A. I had a dirk knife.

Q. How long were you confined from your wound?—A. I was confined, I think it was for five weeks.

Q. How long did you stay at the hotel?—A. I staid at the hotel four weeks.

Q. You were dangerously sick from it?—A. Yes, sir; I should think I was. For about a week I was dangerously sick, and I think the Democrats once telegraphed to the papers and reported me dead. That is my recollection of it.

Q. After you got so as to be moved, where did you go?—A. I was taken then to the residence of Mr. Matthews.

Q. That is to the residence of Print Matthews, the man who was killed?—A. Yes, sir.

Q. How long did you remain there?—A. I remained in his house two weeks.

Q. What two weeks were they?—A. They were about the first part of October, I guess.

Q. Now state what you personally know touching these outrages, or this band of men in Copiah County, and the time you remained there at the house of Mr. Matthews.—A. Well, as the chairman of the executive committee, when these outrages were perpetrated they would report them to me. At the time when they murdered Tom Wallis and shot his wife, and beat up Handy Fortner I had him come into Hazlehurst on Monday, the day our executive committee met. I took this darky myself and I examined him in person, and he was literally covered with welts all over him.

By Mr. SAULSBURY:

Q. Who was that; Fortner?—A. Yes, sir; Handy Fortner. I then

carried him before the executive committee when we met, and we then discussed what we should do in order to protect ourselves. I for one thought we ought to meet these outrages——

Mr. FRYE. No matter what the discussion was; what did you do?

The WITNESS. Well, I had already at that time, before this happened (this outrage was prepetrated on Thursday night), I had already appealed to Captain Hargrave, the sheriff, and told him that he ought to intercede and stop these things. Well, he gave me no satisfaction at all in regard to it. Then I wrote a letter to the United States assistant district attorney, appealing to him and telling him what had been done, and what had taken place, and that I had appealed to the sheriff of the county, and stated to him that the governor had placed arms in the hands of this mob. I also sent him a list of the names of the men the parties recognized, and asked him to commence prosecutions on information; that it would save the lives of many good citizens, and that it would also save us votes; that they were bulldozing people, and not only the colored people, but white people were driven from their homes and were sleeping in the woods with nothing save the canopy of heaven as a covering. I sent this letter by hand. I thought it was very necessary for it to get there at any early date, and I sent it up by Mr. G. E. Matthews. I placed in the letter the list of the men, and the United States attorney sent me word back that he could not do anything; that he was powerless to render any assistance. Then it went on until Monday. On Saturday evening preceding the election they shot Frank Hayes and his wife; then they also came to me; I again went to Captain Hargrave, Mr. Matthews was along with me, and I appealed to him; I can repeat my language to him; I said "My God, captain, are you going to sit here, the peace officer of this county, having taken an oath to preserve the peace, and let these people be murdered and outraged in any such way?" I said "You are not only violating your oath, but you are failing to come to the rescue of suffering humanity." He remarked to me, said he, "I can do nothing without an affidavit." At this time, Mr. T. E. Matthews, a merchant in beat 3, came in; they had driven him from his store, and he reported to me that they had shot some half a dozen holes in his house, and one ball just missed his head. Hargrave having told me he could do nothing without an affidavit, I went before the mayor and drew up the affidavit myself, and Ed. Matthews, and Mr. Barlow too, signed it. On the filing of that affidavit the mayor issued a warrant. I stood there and saw him issue it. He placed that warrant in the hands of the sheriff, and that warrant has never been returned to this day; I have that from Mr. Wilson; I was attorney in the case, and I know it was not returned while I was there.

Q. Were any arrests made, to your knowledge?—A. No arrests were made at all. The identical men against whom this affidavit was made, on Sunday morning, T. J. Hargrave was standing on the street, and he sent those identical men back into beat 3 with guns to put down the mob. I have got the names of those men in my pocket. Mr. Matthews was there on the corner also at the same time when they went out on Sunday morning. These are the names of the gentlemen who were incorporated in that affidavit, and against whom the charge was preferred for outraging citizens in beat 3. E. B. Wheeler——

The CHAIRMAN. Is that Ras Wheeler?

The WITNESS. Yes, sir; he is the man who murdered Matthews.

Mr. SAULSBURY. Who else?

The WITNESS. J. W. Bailey, J. W. Purser, Reuben Morrison, Charles Hart (that is the man who shot me), J. F. Thompson, Marion McCree, Joel East, Frank Davis, Emmitt Spencer, J. B. Middleton, Bill Higdon, J. F. Wood.

The CHAIRMAN. As this is a conclusion of the list of names, I think it is a good place to adjourn.

The subcommittee thereupon adjourned until Saturday morning, February 16, 1884.

NEW ORLEANS, LA., *Saturday, February* 16, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas. The taking of testimony was resumed as follows:

AMOS W. BURNET recalled.

By Mr. FRYE:

Question. Were any arrests made, within your knowledge?—Answer. There, on that morning, when we were standing on the street, Mr. Bailey remarked that there had been a warrant issued for him, but that he did not propose to be arrested until after the election; that he had important business to attend to.

Q. Were there any arrests made, within your knowledge?—A. I will come to that in a minute. Let me get this straight, as it comes right in there, during that time. Mr. Bailey remarked that he had important business to attend to before the election; that he was then going out to quell the mob. They went on to the country then on Sunday morning. A few hours after that I heard the cannon shooting.

Q. On Sunday?—A. Yes, sir; on Sunday morning, about ten or fifteen miles away, I suppose, by the sound of it, and he returned then on Monday. They went to beat 3 on Sunday, and they did not come back until Monday. When they returned they returned with a mob of 150 men. On Monday morning they got into town about 10 o'clock. We heard the cannon and the shooting of guns for an hour before they reached the town. When they got within a mile or a mile and a half of the town, Capt. T. J. Hargrave, the sheriff, and J. L. Meade, the chairman of the Democratic executive committee, went out and met them. Hargrave and Meade rode at the head of this mob, as we termed it, and as they passed the corner just opposite the residence of Mr. Matthews, myself and his family were sitting there. His daughter counted the shotguns, the number of men who had guns. My recollection is that she counted ninety.

By Mr. SAULSBURY:

Q. You are speaking now of what you were informed and not of what you know.—A. No, sir; I was sitting right there by her when she counted the men as they passed.

By Mr. FRYE:

Q. She made it ninety with shotguns?—A. Yes, sir; with shotguns and muskets. The balance of them had pistols buckled around them in army style. Some of them had them on the horn of the saddle.

Q. Were they all mounted?—A. All mounted; yes, sir. They then marched down the southern portion of South street, and up around by the court-house, and in making the second circuit they passed on the

west side of the railroad, Mr. Matthews' residence was on the east side, about 150 yards from his front gate. As they passed there, we were still sitting on the gallery, and one and then another would holler out that "somebody had better get away from here."

Q. Do you remember anything else they said?—A. Well, they did say something about "somebody was mighty sick," or something like that; I don't remember the exact words, but I remember this expression that they used, and all of them had it, and they would all repeat it, and that would go clear back.

Q. Through the line?—A. Yes, sir; through the line. Well, then, after they made this parade of the town they went to the court-house and Major Barksdale addressed them.

Q. You were not there when he addressed them?—A. No, sir; but I could hear the speaking from where we were.

Q. The court-house is near by?—A. Yes, sir; it is not very far off. I could not hear distinctly enough to hear what he was saying, but I could tell there was a speech going on.

By the CHAIRMAN:

Q. Did you know the voice; could you distinguish who was speaking?—A. Yes, sir; I am familiar with Major Barksdale's voice. I have heard him often.

By Mr. FRYE:

Q. After he got through speaking what was done?—A. After he got through speaking—in the mean time Mr. Matthews had gone to some of the leading citizens there and told them that his daughter was in a critical condition and that he would hate for these armed men to come to his house and disturb his family; and he talked to Dr. A. B. Pitts; I was present when he talked to him.

Q. Is he a leading man there?—A. Yes, sir; he is a leading physician. He asked Dr. Pitts to go and intercede with Hargrave and Meade, and for God's sake not to let them come to his house and disturb his family; and Dr. Pitts agreed to do it, and he left immediately and went to see them. Dr. Oatis was another man who went.

Q. Is he a Democrat?—A. Yes, sir; Hargrave and Meade then told us and Mr. Matthews that they should not cross the road and go about his house at all; that they would see that they did not go there. After Major Barksdale got through speaking though, he had complimented them so highly it seems——

Q. No matter about that; you did not hear it?—A. No, sir; well, at any rate, after he got through addressing them they mounted their horses and marched directly by his gate.

Q. Did they make any demonstrations, or say anything?—A. Only repeating as before that "somebody had better get away from here." I was not sitting on the gallery, but I was just on the corner below the house and they were repeating that remark when they passed me, that "somebody had better get away." They marched down the street then, and just in front of the store of J. P. Matthews, a brother, and Mr. Faler & Co.; there they stopped and held a consultation. They remained standing there for, I suppose, some fifteen or twenty minutes. I saw Mr. Meade then hand John McLemore a paper, and he loped off up to Mr. Matthews's residence with it. I remained there about five minutes, I suppose, and then I walked on up to the house. As I walked into the gate, Mr. McLemore was just coming out. Mr. Matthews came out of the parlor and sat down on the gallery, and I asked him what

Mr. McLemore was doing up there—what he had come for. He said that "he came to serve a resolution on me to tell me that I must stay at home to-morrow and that I must not vote."

Q. Did you see the resolution?—A. No, sir, I did not see it until afterwards.

Q. Did you see it afterwards?—A. Yes, sir; I saw it afterwards.

Q. Was it the resolution which was read here yesterday?—A. That was the resolution, I should say, a literal copy of the one I read; and he told me that the resolution was, that he must stay inside of his own inclosure to-morrow. My recollection at the time then was, that he told me that there was some provision in it for him to leave home, but I see that it is not so, but that he must not vote. I asked him what answer did he make to it, and he told me what answer he gave Mr. McLemore. He said that he told Mr. McLemore that that was a very strange proceeding in a republican government; that he thought he had as much right to vote as any one of them, and that he had never done any of them any harm; that he had tried to be useful to society in every way that he could; and he said "Now John, you all have got it in your power to murder me I admit, but," says he, "I am going to vote to-morrow unless you do kill me." And he asked me then if I thought that he returned the proper answer, and I told him that I thought he did; that if I was in his place I would as soon die as be in a country and be disfranchised and have my political freedom taken away from me.

Q. What became of this company of men when Mr. McLemore returned to them?—A. When McLemore returned to them they filed left and marched out west of the town.

Q. Did they give orders in military style?—A. Yes, sir; E. B. Wheeler was in command.

Q. That is Ras. Wheeler?—A. Yes, sir; Erastus Wheeler.

Q. He was in command you say?—A. Yes, sir, he was in command.

Q. Then they marched out of town?—A. Yes, sir.

Q. That was on Monday?—A. Yes, sir; that was on Monday evening. That was about 5 o'clock; it was just after the 4 o'clock north bound passenger train passed north; I suppose about half past 4 o'clock.

Q. Now, stop right there one moment. In regard to your wound, it had so far recovered as to enable them to move you, and they moved you to Mr. Matthews's house.—A. Yes, sir.

Q. To Print Matthews's house.—A. Yes, sir.

Q. And you remained at Print Matthews's house from that time until you finally left?—A. Until the election; until the night previous to the election, when I went to Crystal Springs.

Q. Now, what portion of that time were you able to be out and around attending to the executive business of this committee?—A. I presided at the first meeting, and the first meeting I presided at after I was shot was on the fourth Monday of October; that was the first meeting at which I presided as chairman after I was shot. But then I had been up and able to walk around in the town with my sticks, and every day I would go out on the streets.

Q. Then, for a fortnight before the election you were out and around town generally?—A. For two weeks I was generally over the town electioneering and sending canvassers wherever I thought there was any work necessary to be done.

Q. First state what you yourself saw, during that fortnight, of the operations of this mounted and armed body of men.—A. Well, on Monday night then, after they had gone out of town, they came back, and

they were speaking at the court-house again that night. That night there was a company of them passed over the bridge going east. I do not know where they went, only what was the current report and not denied by anybody as to what they did that night.

Q. I have not come to that just yet; I will ask you that by and by.—A. They went out east then, and on Monday night at eleven o'clock, at a quarter past eleven, I left the residence of Mr. Matthews, and I went to the depot to take the train to go to Crystal Springs. I was to manage that box.

Q. That was in Copiah County?—A. Yes, sir; in Copiah County, just ten miles north of Hazlehurst.

Q. In what beat?—A. In beat 5. When I went to the train Major Barksdale, the Congressman, and J. L. Meade were there. I staid at the house until I knew that the train would be on time so that I would not be delayed at the depot, because I felt that they might do me some violence there, the crowd of them, and I walked up just as they were in the act of taking the train. Major Barksdale was going to Jackson. He had made a speech. Mr. Meade then said to Major Barksdale that "Somebody had better get away from here." Major Barksdale replied "I expect they had." I was under the impression at the time that the remarks were intended for me, that he saw me there, and made use of the remark, and I retained that impression until a telegraphic message reached Crystal Springs, at a quarter past nine, that Mr. Matthews had been shot at the ballot-box.

Q. During that fortnight did you see these men around with guns, hear the firing of cannon, or anything of that kind? During the whole fortnight what did you hear and see yourself of these rioters?—A. For two weeks, not exactly two weeks either, but for twelve days it was just a continual firing. It reminded me of the bombardment of the city of Vicksburg. In every direction you could just hear guns all night long, it was just a continual shooting; in any direction from Hazlehurst you could hear them shooting. It was not only in beat 3, but in beat 4 and beat 5. We had carried these beats in every election, and for 12 days preceding the election it was just an armed mob over that country. You could not go in any direction that you did not meet a squad of armed men, and they did not hesitate to say, I heard Bailey say that "we are going to carry the election or kill you Independent Republicans; we are going to have the offices or kill them," that is the expression they used; they didn't hesitate to use that expression on the street.

Q. Did they have the cannon most of the time with them?—A. They had two cannon. They bursted one in beat 3, and they left that one, and they had a cannon at Hazlehurst, and they had a cannon at Crystal Springs. When they first carried their cannon out to beat 3 at Hazlehurst, they bursted it putting in large charges; out they went to Crystal Springs and got another cannon; and I have a newspaper which says that "the Crystal Springs cannon is doing us good work out in beat 3." They had been there for three weeks. Now, there is no one who will deny that it was just a reign of terror there.

Mr. JONAS. That is not testimony, is it?

The WITNESS. Well, I say that of my own knowledge, that it was a reign of terror; that we sat every night expecting that mob to come there and take us out and kill us.

By Mr. FRYE:

Q. Were there rumors current in the village of Hazlehurst of outrages committed during those two weeks?—A. It was just general. Every day there would come in a report.

Q. Were there also reports made to you as chairman of the executive committee?—A. Every day they came to me and appealed to me for protection. They came to me from beat 3 and told me that their crops were destroyed in the field; that they were sleeping out in the woods, and that they were afraid to stay in their houses.

Q. Were you or not a justice of the peace?—A. No; they appealed to me as chairman of the committee to intercede and get it stopped. One man came to me; he was picking cotton in a field, and they got after him, and he took to the swamp and he never returned to his field any more.

Mr. FRYE. Mr. Chairman, I propose to ask the witness to state the various outrages where parties came and entered complaint to him as chairman of the Republican committee, and also to state the various outrages which were common talk in the town of Hazlehurst before this election.

Mr. SAULSBURY. We do not object to any line of investigation that you see proper to adopt if it is understood that we may pursue the same line hereafter, if we see proper.

The CHAIRMAN. I understand, Mr. Frye, that as at present advised, my own vote, speaking for one, would be that we should not admit the rumor of a fact as establishing the fact itself, but that the existence of these reports may be shown to have had an effect on the election, whether they had a political result, and to that extent they would be competent. Of course, the same rule should be applied to both sides.

Mr. SAULSBURY. There are two modes of taking evidence. I believe we are all lawyers, and my own judgment is that in investigations before legislative committees the nearer you can adhere to the legal rules which govern the admission of testimony the better it will be. But experience has shown that in all investigations (and I have been on several connected with these committees, and I have read the reports of others) committees are apt to let in reports and let in rumors. They are political investigations, and the parties conducting them generally let in everything that tends to make for their side of the investigation. Whether they have been Republican or Democratic committees that has been a rule usually observed. Hence, I do not object now to the admission of every kind of rumor for what it is worth, whether for the purpose of establishing its effect on an election or for the purpose of making a political document for campaign purposes. I do not object to it at all, with the distinct understanding, however, that when we come to examine into the other side of this question we shall be at liberty to introduce reports and rumors, surmises and suspicions, for what they are worth, whether they bear on the result of the election in Mississippi or whether it is for the purpose of aiding in the campaign preceding a Presidential election. We do not object, therefore, to this line of evidence, but we do say now, gentlemen, that if you propose to show rumors and suspicions at all, for any purpose, when we come to examine on our side of the question we do not want to have an objection interposed that these rumors which we are seeking to put into the testimony are not relevant because they do not bear upon the election in Mississippi or in Copiah County. We want them there for our own purposes if you put them in for your purposes, whatever those purposes may be. And we want that rule adhered to. We do not object at all. If these rumors are to be excluded, let them all be excluded on one side and the other, but if they are to go in, let them all go in, on one side and the other, without restriction or limitation.

The CHAIRMAN. I do not myself admit for a moment, that if these crimes

which have been testified to really existed, that they are political questions, or that there are two sides to the investigation, one side of which sympathizes with the criminal, while the other side does not. I do not suppose anybody admits that. It would be almost uncivil to deny such a thing to anybody. But we cannot of course determine the questions which will come up in the witnesses' evidence, by making stipulations beforehand as to what will be admitted by and by. All I can say myself, is, to repeat what I have already said, that we do not vote for the admission of this testimony on the ground that rumor establishes the fact, unless the rumor itself, with its result in affecting the votes at an election, be a fact, and of course, if that be established, as I think this is, it is competent in that point of view; that there was a rumor of outrages which excited terror in the community and prevented the election. If the outrages are shown to exist hereafter they are connected with it; if they are not shown to exist you have only got the fact that there being one or two crimes, the air was filled with rumors which affected the election.

Mr. JONAS. Resolutions adopted by a meeting have been introduced, and certain warning messages which were sent. It may be necessary for us to show that rumors prevailed throughout the county of danger to lives and property on either side; that the necessity for this meeting was caused by the public apprehension that was felt, and the necessity of banding together. A rumor can play quite as important part on one side as on the other.

Mr. FRYE. But I was confining my question to notorious threatening facts, with the understanding that they were to be excluded hereafter, provided they were not shown to be facts. If a murder is committed in the streets of New Orleans to-day and we are here, and it is committed in front of the custom house; while we do not see it, I take it that any one of us would be permitted to testify that there was a murder that broke up the meeting of the committee, although we did not see the murdered man and did not have anything to do with it. My question did not propose to go any further than that.

Mr. JONAS. We do not make any objection to the question at all.

The CHAIRMAN. Mr. Saulsbury made no objection, but he said that he wanted an understanding that the same rule was to be applied to both sides. Now, if you should come in with some rumor, which was very remarkable, to establish a fact, not such a one as Mr. Jonas alludes to, I should not want Mr. Saulsbury to say by and by, "Why we waived our objection to a rumor heretofore with the stipulation that we would have the same rule apply to us, and you are not applying it." Therefore I state the rule now.

Mr. SAULSBURY. I want to state this, right here. I stated before that we all knew what were the rules governing the admission of testimony, for we are lawyers who have practiced in the courts, and that there were but two ways in this investigation, either to restrict ourselves strictly to the mode of investigation adopted in legal proceedings, or else to throw down the bars and let rumors come in for what they were worth. Now, I do not object to pursuing either of these lines, but I do object, I say frankly and candidly that I do object, that the chairman of this committee, or any member of this committee, shall stop me if I want to prove a rumor. If rumors are let in at all I want the privilege of letting in rumors when I come to examine, and not leave it to be determined by the members of this committee whether those rumors are admissible or not. They might rule out one admission (I do not say that they would do it) or one rumor which is very important to one side

of the question, and let in a rumor on the other side very important to that side. I say adhere to the legal rules and exclude all rumors, or let all rumors come in for what they are worth. That is the true principle.

The CHAIRMAN. I differ with you, Mr. Saulsbury, in your opinion that there are two ways of conducting an investigation, one to exclude and one to admit, though I agree with Mr. Jonas exactly as he stated the case.

Mr. JONAS. A class of testimony has gone in without objection, on our statement, and of course if the committee were to exclude such testimony on our side the fact itself would speak to the country and therefore I have no objection to it.

By Mr. FRYE:

Q. You may state, as nearly in their order as you can, the outrages rumored or current among the people in Hazlehurst during the fortnight preceding the election.—A. Well, before I begin to state rumors, let me tell what has come under my own observation and what is not rumor. On Monday they broke up the meeting of our executive committee in Hazlehurst.

Mr. CAMERON. State what they did.

The WITNESS. I am going to. They came in there and a member of the committee—no, not a member of the committee, but a Republican—passed them on the road and warned us they were coming, and of their intention and purposes. They came into Hazlehurst, and came right in front of a hall where we were holding our meetings, and turned the cannon right to Mr. Matthews's store, and one of them hollered out, "Look out, we have got it loaded with shot," and they turned it right loose at the store, and the filling or wadding of the cannon fell on the pavement right in the front of his store, and then one fellow remarked, "Let's put in a log-chain and shoot the damned thing all to pieces." And they were breathing out threats all around there; it was general, that they intended to kill us or have that election; threats that they were going to kill the Independents and Republicans or carry that election. They did not hesitate to state it. That was on Monday before election, and our executive committee was to be held on that very day. We were actually in session when they came in town. I heard of their coming and left the committee room and was standing in Mr. Matthews's store door when they turned this cannon there, and one fellow says, "Let's put in a log-chain and shoot the damned thing all to pieces." We were standing in the door. That was not hearsay; that is my own knowledge.

Q. State anything else of your own knowledge.—A. My own knowledge goes further of there being one continual fire. I can use a comparison to illustrate what this reminded me of; it reminded me of the battle of Baker's Creek. When they went half a mile up town, there was just one continual shooting of musketry, and ever and anon they would fire the cannon as though they were coming into town. A person would have thought there was a regular battle going on. It went like a fire in a canebrake, the continual shooting, just as fast as they could. Then what came under my own knowledge again was, that T. J. Hargrave—and this was published in the organ edited by J. L. Meade——

Q. A Democratic organ?—A. Yes, sir.

Q. He is chairman of the Democratic committee?—A. Yes, sir. I suppose it would not be hearsay at all.

Mr. JONAS. Have you the paper?

The WITNESS. I think I have the paper in my valise with the telegram. If I have not, and cannot get it, of course I am allowed to prove the contents of it if I can get the paper.

Mr. FRYE. State what it was; you need not argue the question.—A. T. J. Hargrave, on the murder of Tom Wallis, the day after he was murdered, on Thursday night or Friday, he telegraphed to Governor Lowry to send him down troops, as he was expecting a disturbance. Shortly after he sent another telegram countermanding that order, and telling him to send him so many guns and so much ammunition, and he would keep the peace. Governor Lowry, in compliance with that, sent him down forty guns and three thousand rounds of cartridges, as I heard the chairman of the Democratic committee state; that part of it, about the three thousand rounds of cartridges, is hearsay. I saw the guns unloaded, and I saw Hargrave place those guns, or part of them, in the hands of these men who went out on Sunday morning.

Q. In this mob?—A. Yes, sir. They had these identical guns, going out to conciliate the mob and the men against whom affidavits were then pending, and the warrants had been issued. Now as to the outrages, that were notorious and not denied by any one, which were current all over the county. I will state first those that came under my observation as an attorney, and wherein I was prosecuting attorney. The first was the shooting into Mr. Matthews's store; he brought in the bullets and exhibited them to me; and the killing of Tom Wallis, and the shooting of his wife through the shoulder, and the pursuit of Frank M. Bufkin, a member of the board of supervisors, hunting him to kill him; he was a Republican. Well, they reported them to me and got me to draw up the affidavit. I drew up the affidavit and Mr. Matthews and H. H. Barlow, two merchants in beat 3, they signed it. I stood by the justice of the peace until he issued the warrant; he carried that warrant and placed it in the hands of T. J. Hargrave, and that warrant has never been returned to this day. I was particular to ascertain the fact from a justice of the peace if it had been returned, as I was attorney in the case, and it has never been returned.

Q. Are there any other cases?—A. Another case was the shooting of Frank Hayes and his wife. That was notorious and not denied by any one. It was talked about all over Hazlehurst.

Q. Were they colored people?—A. Yes, sir; they were colored people.

Q. Were Wallis and his wife colored people?—A. Yes, sir; they were colored.

Q. Was there any breaking up of colored meetings?—A. They broke up a colored meeting about four miles northeast of Hazlehurst. They went there one night and broke it up. I had a talk with the men who were in that crowd—some of them. They told me that they had a vigilance committee to see that the colored people did not organize any Republican clubs.

Q. Do you mean to say that you talked with the men who were in the crowd that broke up the meeting—the Democrats?—A. Yes, sir; I talked with those men.

By Mr. SAULSBURY:

Q. Give us the names of those men.—A. Rube Morrison was one and John Hargrave was another—a brother to the sheriff.

By Mr. FRYE:

Q. They told you what?—A. That they were the vigilance committee to look after the Republicans and see that they did not organize in a

club, and Morrison spoke of it in a laughing way, and said how he had made Charlie Oliver step it from there home.

Q. Was Charlie Oliver a colored man?—A. Yes, sir; he was a colored man, and he had a wooden leg, and they called him "peg-leg"; and he says, "I tell you we made old peg-leg move lively last night from this church down here where he had gone to organize a Republican club."

Q. Was the church afterward burned?—A. On the next night the church was burned.

Q. Do you think of any other cases?—A. I will tell something else, though, that is not hearsay, right there in connection with that church. On that evening I recognized the voices of Mr. Bailey and Mr. Wirt Norman as they passed the residence of Mr. Matthews going in that direction—on the night of the 21st, when the church was burned. These same men, the night previous, that had broken up the meeting, were in the crowd. Mr. Bailey has a very peculiar voice; it is a deep baritone, and a person who has once heard it will always recognize it afterward wherever he hears it. Wirt Norman was the son of the chancery clerk.

Q. What did you hear?—A. I just recognized their voices talking as they were going out in that direction, and that night the church was burned. That is hearsay, but it was reported to me that the church was burned.

Q. That was the church where the colored people were the day before trying to organize a club?—A. Yes, sir; that was the church.

Q. Do you remember any other cases?—A. The next outrage that I remember was the hanging of Napoleon Demars' son. This man was in his house, and they got pretty close to it before he heard them, and he jumped and hid between the mattress and the bed. They took his little son and they hung him up to make him tell where his father was. He finally told them where his father was, and they then pulled him out of the bed and they took him out, and with menances and threats they made him take an oath that he would support Hargrave and the entire Democratic ticket.

Q. How about Orange Catchings?—A. Orange was the man who carried the Republican tickets out to Brown's store.

Q. For distribution?—A. Yes, sir; for distribution. On Monday night these men crossed the bridge and went east, as I was telling you. They went out there and they whipped and abused several until they found where the tickets were, and they took their tickets from them and destroyed them. On the day of election our candidate for chancery clerk went there and the tickets were all destroyed, and he came to Crystal Springs, where I was, after tickets to carry to Brown's store. At Forest Hill the tickets were sent there by a colored man named Solomon Smith. They went to his house on Monday night and they abused him terribly, and forced him to give up the tickets and destroyed them. He came to me and I examined him myself, and I saw the welts on his head. I saw where they had given him blows with the pistol across here [indicating]. I examined that myself; it was a big scar. He told me the result of the election; that they did not vote at all; that they had no tickets; that they had all been taken from them on Monday night and destroyed.

Q. How about Daniel Crump and his wife?—A. That is a case where I was the attorney. He came to me a few days before the election, on Saturday preceding Tuesday, the 6th of November, and I made the affidavit for him in that case. A warrant was issued, and before the trial of that case I was compelled to leave there myself. I suppose the case is still pending there; nothing has been done with it.

Q. What was that for?—A. They burned his house.

Q. In the night?—A. Yes, sir; it was done at about 11 o'clock at night. They stood out and shot at him as he made his escape from the burning house. He recognized two of the men who were in the mob, and the affidavit was made against those two. He said there were some fifteen or twenty in the crowd.

Q. Do you know, yourself, whether these people were ever arrested or not?—A. I do not know. About that time I received a warning to get away from there.

Q. Do you remember any other current rumors of outrages about that time prior to the election?—A. Yes, sir; at Gallman; we had an inspector there that we had recommended for our inspector at that box, Mr. B. F. Burrage, a white man, but they concluded they would appoint a colored man named Dave Bell. They took him out on Monday night and gave him a thrashing, and then on the day of election they took the ballot-box from him——

Q. No matter about that, if you do not know about it.—A. That is all I know in regard to their taking him out of the house.

By Mr. SAULSBURY:

Q. Who was this that they whipped, a colored man?—A. Yes, sir; Dave Bell was a colored man.

By Mr. FRYE:

Q. Were you out and around in the county some for the fortnight before the election?—A. I made one speech in the county.

Q. Were you canvassing any; as chairman of the committee, were you out in any part of the county?—A. I am going to tell that. After I had staid at Mr. Matthews's residence for a week——

Q. Now if you will tell it in my way instead of your own way, we will get along better; if you will answer my single question, were you out and around any in the county prior to the election, yes or no?—A. Yes.

Q. Did you observe anything touching the effect of these outrages upon the colored people around in the county?—A. Oh, yes, sir; they were all frightened and scared to death.

Q. Do you know anything about their sleeping at home or in the woods, or anything of that kind?—A. I know there were colored people on my father's place that slept in the woods at night. I know that of my own knowledge; it came under my own observation.

Q. Now I want to take you back for a moment to something else. You were shot the 6th of September. How long after that was it that the court sat?—A. That was on the 6th of September, and the court sat on the 4th Monday of October.

Q. And you remained sick until about that time?—A. No, sir; I did not remain in bed, but I was sick; I was up, however.

Q. Did you undertake yourself to secure a prosecution of your assailant?—A. I did. I got Mr. Matthews here to go over and see Mr. Miller for me.

Q. Is he a Democratic lawyer?—A. Yes, sir; a Democratic lawyer, and then candidate on the ticket for district attorney.

Q. Did you succeed in obtaining any lawyer of the Hazlehurst bar to prosecute your case?—A. I did not.

Q. Where did you send?—A. I got Mr. J. P. Matthews then to telegraph to Brookhaven for Mr. Cassidy.

Q. Was anything ever done with your case?—A. He was bound over to the circuit court.

Q. When did the circuit court sit?—A. On the fourth Monday in October. When they sat, the grand jury ignored the case entirely. They did not call me before them, and they did not call the mayor who tried the case. They did not call Bufkin, an eye-witness to the transaction, and did not make any investigation whatever of it.

Q. And no indictment was found?—A. No, sir; there was no indictment found. I will state right there in connection with that that this young man who shot me ran away until it was communicated to him——

Mr. SAULSBURY. Who was that; what was his name?

The WITNESS. His name was Hart. He left that country, and nobody knew where he was. As soon as it was reported to him how the grand jury stood and had been fixed up he returned there and took part in all these mobs, and was in that armed crowd of 150 that came into Hazlehurst.

Q. Now, on the 5th day of November, in the night, you left—the night before the election, did you?—A. Yes, sir.

Q. You may state anything that transpired touching this inquiry from that time.

The WITNESS. Not in regard to my being shot?

Mr. FRYE. No. I do not remember whether you have stated in regard to a letter which you received threatening your life and ordering you to leave, or not.

The WITNESS. No, sir; I have not.

Mr. FRYE. Well, I want you to go on there.

The WITNESS. I believe I have a copy of that in my pocket here. But I have not gotten through with what has come under my observation with regard to their bulldozing and intimidation.

Mr. FRYE. You may go on.

The WITNESS. I went then to Crystal Springs, and I have related the conversation that Mr. Meade and Major Barksdale had at the train. In going up on the train an old friend, R. G. Wingate, came up and spoke to me, and he said "I am so glad to see you on here and leaving Hazlehurst." I said "Why?" He says, "Miller made a speech in Wesson to night" ——

Q. Mr. Miller was a candidate for district attorney?—A. Yes, sir; and he was a party to this whole business; "and from his speech," he says, "There won't be an Independent or Republican left living to-morrow in Hazlehurst." And he says, "J. P. Matthews is certain to be killed." I replied to him, "Oh, I think they are just trying to intimidate us. They know we have got a great majority on them, and this is simply for the purpose of keeping us from voting." I said, "I don't apprehend anything of the kind. There has been an armed mob all day in Hazlehurst shooting over the streets, but," I says, "we are going to vote to-morrow anyway." "Well," he says, "you see I am not often fooled, and as soon as I heard his speech I took a train to go to Utica to vote against it." He says, "I am not any such Democrat as that, to indorse any such speeches or to instigate the people to such crimes as that." At Crystal Springs I stopped at the May House. The next morning I got up, and at half past 8 o'clock in the morning I was on the streets.

Q. That was on election day?—A. Yes, sir; on election day; on Tuesday morning. I was out on the streets electioneering for the ticket, and at a quarter past 9 a telegram was received that Mr. Matthews had been killed, and immediately they circulated it very fast all among the colored voters.

Q. Who sent that telegram, do you know?—A. J. L. Meade.

Q. Chairman of the Democratic committee?—A. Yes, sir. They immediately came to me to know about it, and I told them that there was nothing in it; that it was done simply to beat us, and because they thought it would intimidate us and keep us from voting. I then wrote out a telegram, and got Mr. McNeil to send it to a friend at Hazlehurst, to know if it was the case, and he answered that it was a fact that he was shot down at the polls that morning. I knew the election was gone, so far as that was concerned, when he was killed at Hazelhurst, for that was a box we always carried. Shortly after he was killed—I suppose about an hour after—a committee of two came to me and told me—I will give their names; they are Democrats, and these gentlemen can have them summoned here. The names are Willis Barnes, and his son, Will P. Barnes. They came to me and called me Amos. I had boarded in the family there, and they knew me. He said, "Be mighty quiet; you are going to be killed here. Don't you electioneer any more, or hand out any more tickets." He says, "We have come to you as friends to tell you not to do it." I replied, I says, "Well, Will, I know you all have got it in your power to murder me now here, but I will tell you one thing: whenever you come, I don't care if there is forty thousand of you, I am going to kill somebody. I have behaved myself as a gentleman. You have not heard me speak a word disrespectful of anybody." He says, "No, I have not, but," he says, "it is a mob which is enraged, and they have been talking about just handling you." I said, "I cannot help it." He says, "For God's sake don't say that, for," he says, "you know I am a friend to you; you have boarded with us, and I don't want to see you hurt, and," he says; "you go to the hotel and stay there." Well, I did. I left the streets then, and I went to the hotel, and when the first train came, about 12 o'clock, I suppose, I took the train to go to Hazlehurst. I felt it was my duty to go there; that Mr. Matthews had been a good friend to me, and taken care of me when I was sick, and watched over me. Going down on the train there were seventy-five or one hundred men on the train with pistols and guns. About half way between Gallman, a way station, a flag station between Crystal Springs and Hazlehurst, they began to shoot, and I thought they were drinking right sharp of whisky, and I called Mr. James Stewart to me, and I says "Jim, I am going to be murdered," and he says "No." He says, "I am going to try to keep it off, but," he says, "you keep mighty quiet, and don't say anything" He says, "I am going to try to keep it down. I am not with you politically, but I know you are a gentleman, and I am going to try to keep them from doing it." "But," I says, "I have already heard one man say that they are going to open the ball on me when they get to Hazlehurst." "Well," he says, "you keep quiet, and don't say anything, and I will do my best to save you, Burnet." When they got to Gallman—I had paid my fare to Hazlehurst, and the train did'nt stop at Gallman—I saw it was death anyway, and I stepped out and jumped off the train, and stopped at Gallman. While I was there, I told Mr. Gallman that I thought it would be a piece of ingratitude on my part for me not to go to those people down there, suffering as they were; that I would stay there until night, and then slip into Hazlehurst, and get up to the house without those fellows seeing me. He says, "Burnet, I am surprised at you; you ought to have better sense than that. It will be an act of suicide on your part to go there." He says, "Don't you know every road is guarded?" I says, "That may be all true, but I feel it is a duty, that I ought to go there"; and he just said, "You shall not go there"; he says, "You shall not go." I remained there until 3 o'clock, when the

north-bound train came, to get the news direct from Hazlehurst. I met a man then (this is not evidence, of course), and he told me the particulars.

Q. The particulars of Mr. Matthews's murder?—A. Yes, sir. About quarter past four Mr. Gallman took me in his buggy and started to take me to father's, who lived on the line of Hinds and Copiah Counties. As were starting I met Mr. T. J. Parker——

Q. A Democrat?—A. Yes, sir; a Democrat; and I says, "I want to ask you a question as a friend and I want you to answer it. Do you think it would be safe for me to go to Hazlehurst?" He said, "You have asked me as a friend, and I propose to tell you as a friend. Don't you go there." Then I related to him what I had heard about Major Barksdale's speech, which I don't suppose it would be competent for me to state.

Q. No matter about that.—A. Well, we got to father's about 12 o'clock at night.

Q. That was on Wednesday night?—A. Yes, sir; on Wednesday night. When we drove up to the gate and I hallooed, the family recognized my voice and they all rushed out. A brother had just come from Utica, where Mr. Wingate had voted, the man I had met on the train at Hazlehurst as I was leaving. He had come from there, and they were all very uneasy about me, and he was just starting out to hunt me. From what Wingate said they knew that Mr. Matthews, and may be more, would be killed. I staid all night at my father's. The next day I concluded, as I thought probably the excitement had died down, I would go by way of Utica, take the Jackson and Natchez road to Jackson, and then go to Hazlehurst. My mother insisted upon my staying; she did not want me to leave and was very uneasy about it. I promised her I would come back from Jackson; that I would only go there to hear the particulars. But she was not satisfied for me to go without my brother's going along with me. My brother went with me to Jackson, and there I met Mr. George Dodds.

Q. A Democrat?—A. Yes, sir, a Democrat; he was the *ex tempore* chairman of the Democratic executive committee in Mr. Meade's absence for about two weeks during the canvass. I took Mr. Dodds in the dining-room, and he and my brother sat down there and talked. I said, "George, I have not been able to get to Hazlehurst, and I had a very narrow escape to save my life, but I want to know the particulars about the murder of Mr. Matthews." "Well," he says, "Wheeler came to me and talked to me about his case, related the circumstances of the death and all, and, just between us here, it was one of the most deliberate and cold blooded murders I ever heard of. I told him, after he had related the facts to me, that there was more room for him in Texas than in Copiah County." Then I asked Mr. Dodds if he thought I could get down there with safety. He said, "Yes; you come and go down with me, and I will guarantee that you will not be hurt." I remarked to him—I says, "I want to be frank with you, and I just tell you if I go there under your pledge of protection, and there is any attempt to do me violence, I am going to kill you the first man." And he says, "Well, now, Amos, that is my opinion, that you will not be hurt; but I would not like to make such a contract as that with you, or agree to such a thing as that. But," he says, "you come and go down with me. The family are just frantic; they are plumb deranged, as it were, from the sudden death of Mr. Matthews, and they have confidence in you, and they would like to see you." I agreed to go down with him. Brother, though, had more precaution than I had. He talked and talked to me, and said, "I

would not go down there in the night. You wait until morning and go down." I took his advice, and waited until morning, and went down on the mail train that arrived at Hazlehurst at about 5 o'clock (hardly light) in the morning. I got off the train and started for Mr. Matthews's house, and as I got off from the depot I saw two men in the shadow of a lamp-post with guns, and I turned back and went into the depot until daylight. Then I went down under the bridge and a high embankment and came up under the embankment, and then I went up to the house. When I got in the grandmother of Mr. J. P. Matthews was there, and she was very much excited to see me, and was uneasy about me, and said she was so sorry to see me come there, that they were going to kill me; that they had heard them hollering for me when the train came on Tuesday morning from Crystal Springs, and she wished I had staid away, because she believed they would kill me before I could get away from there. I told her no, I did not think they would do me any violence then. About nine o'clock I walked down to the stock-yard of J. P. Matthews & Bro., and there were some colored men in from beat 3, and they asked me what in the world I was doing there, and told me to get away; that they had heard something on the street, and for me to take their advice and leave. Well, that night I left on the 11.15 train and went to Jackson. I told the family I would be back on Friday night at eleven o'clock. While at Jackson, Mr. Matthews here and this young man right here, there had been a letter dropped to me in the post-office, and he copied the threatening portion of that letter and sent it by a special messenger to Jackson.

Q. To you?—A. Yes, sir. The colored man didn't find me in time, but Miss Mary Matthews sent a telegram to me not to come home that night, and I got the telegram, and didn't come. After that, I got his letter advising me not to come, but to go to father's and stay there; not to come back to Hazlehurst. So I then went to father's, and I was taken down there with typhoid fever, and I remained in bed until I left on the 23d for Washington City, and have been there ever since.

Mr. JONAS. The 23d of what?

The WITNESS. The 23d of December. I was down for five weeks with the fever.

By Mr. FRYE:

Q. Have you left Hazlehurst finally?—A. Certainly, I have left finally. I do not believe my life would be safe there.

Q. What has become of your docket since you left?—A. I will relate that. When I went to father's I felt that it was——

Q. No matter about that; tell what has become of your docket?—A. Every important case that I had was *nolle prossed*, and run over; just wiped off the docket. I want to tell you about the letter I wrote to the circuit judge about my cases. At father's I wrote a letter to T. J. Wharton——

Q. Who is he?—A. He is the circuit judge. I told him that, under the circumstances, there being an armed mob at Hazlehurst, I did not feel that I had any security for my life there, and would ask that he pass all my cases until I could get there to attend to them; that under the circumstances I did not feel it would be safe for me to go there. Well, every important case involving any amount was just wiped right off the docket.

Q. Do you ever intend to go back there to live?—A. I would not go back there to live for the county and all that is in it.

Q. How long have you been acquainted with Mr. J. P. Matthews, or

"Print" Matthews, as he is called?—A. I have been acquainted with Print Matthews ever since 1871 or 1872.

Q. Have you been at his house a good deal?—A. Since I have lived in Hazlehurst, nearly three years, I have been at his house a great deal.

Q. And at his store?—A. Yes, sir, and doing a great deal of his business.

Q. What kind of a man was J. P. Matthews as to his character for peace and quietness?—A. Mr. Matthews, speaking from my standpoint and what I know of him, I think was one of the most generous, charitable, and order-loving men in the world. He was a great man to keep within the law, and as evidence of that he has been in public life there in Copiah County all of his life, and there has never been a charge against him of dishonorable conduct; there has never been a record in the court against him for any crime, and he is the only sheriff that that county has ever had, going back as far as I have had any knowledge of politics, to 1868, he is the only sheriff who has ever passed out of that office with a clear, clean record.

Q. What were his habits at home, in the house, as to hospitality?—A. He was one of the kindest men as to his family that I ever saw.

Q. Did he entertain much company?—A. His house, you might say, was just a regular hotel. I was there a month with him, and I know I did not stay there a day unless they had company, men from the country who stopped with them.

Q. Was he an irritable, easily disturbed man, or a quiet man?—A. I don't believe he had an enemy. I never heard a man say he had anything against him, except his politics; that is all they would say. Socially he was the finest man anywhere.

Q. Was he a man of influence in politics?—A. He had more influence than any man in that county.

Q. Influence with what voters?—A. With both white and black.

Q. Could he control their vote very largely?—A. Yes, sir. There were many men who would vote for him on any ticket; no matter if they were Democrats they would vote for him if they would not vote for the balance of the ticket. I knew men of that kind.

Q. Do you know Ras Wheeler, who shot him?—A. Yes, sir.

Q. What were the relations between Ras Wheeler and Mr. Matthews?—A. They were of the most friendly nature, and I speak not from what Mr. Matthews said, but from what Mr. Wheeler himself said. When I was in the act of leaving Matthews to visit my father, after I had got so that I could ride, I met Wheeler at Mr. Matthews's store, and he was talking to me, and he told me, said he, "Burnet, I want you and Print to use your influence for me; I am a candidate for mayor," and, he says, "You know that Matthews has big influence here, and I think he ought to give it to me, because he and I have been the best of friends;" and, he says, "Between us, I had rather vote for him than any man now that is running for office, from the simple fact I never went to him to get an accommodation in my life that I didn't get it."

Q. Was there anything up to the day of Mr. Matthews's death, that you know of, to disturb these relations between them?—A. Nothing in the world that I know of.

Q. In this last election what part had Mr. Matthews taken; had he been unusually active or unusually quiet?—A. In this last election Mr. Matthews was unusually quiet. He was a man who, whenever he undertook anything, went in to win; he had great energy, and there was no cessation of his work as long as the battle was going on, or as long as the canvass was going on. He was a hard worker. But this time

he told me that he had had many hard times in politics; he had suffered in 1875 great ostracism, and that they had marched there with his coffin before his door, and he had concluded to quit, and he was very glad that we had centered on Leon and to leave him out, as he was a young man. But he made some speeches. I was present when he made a speech that the Democrats say was incendiary. I have a report of it in a Democratic paper, and there was not anything inflammatory in it that any reasonable man could take exception to. I have got that speech, published in a Democratic paper.

Q. What Democratic paper?—A. The Copiahian.

By the CHAIRMAN:

Q. That is not Mr. Meade's paper?—A. No, sir; that is Vance's paper.

Q. Where is that published?—A. It is published at Hazlehurst.

By Mr. FRYE:

Q. Have you that paper here?—A. I have it down in my room. I did not bring my valise up; I did not think I would get to it this morning. I have got that paper and can make an exhibit of it as a part of my answer to that interrogatory.

Q. It was Mr. Matthews's brother, who testified yesterday, who was the candidate?—A. Yes, sir. In regard to his character for peace and quiet I might go on to state that when these men were perpetrating all these outrages, I publicly spoke it out on the street that it was the act of dastardly cowards; that men who would go and drive a poor defenseless man from a sleeping wife and murder him, and then shoot her, and go around and drive women and children out in the woods at night, were assassins, I did'nt care what party got it up, or who they were. And Mr. Matthews told me, he says, "Amos, you speak out too plainly. That is all true, that these men who do these things are all cowards; but," he says, "you are endangering the lives of all of us in talking in that way." He says, "So far as I am individually concerned they may kill me, but I don't want them to murder my wife and children, and," he says, "don't talk. Of course that is all true, but," he says, "a mob has got no reason, and you see it is an armed mob, and," he says, "let us keep quiet; it is better for them to kill four or five, or fifteen or twenty of us men, than to go ahead and murder women and children, and so just keep quiet and brook things the best way we can."

Q. Do you know of his having any troubles previous to that election with any body, any altercations or quarrels of any kind; I mean during the fortnight before the election?—A. No, sir; I never heard of any thing.

Q. Is there any thing else that you think of that you wish to testify to?—A. Yes, sir; there is something else in regard to the canvass that I made myself that I want to testify to, because I expect them to bring these Democrats here to substantiate just what I say about it. When I left Mr. Matthews's house to visit my father, just after I got up, I made one speech in the country, at White Oak Church. Mr. Matthews was to meet me there on that day and speak with me. He did not come, and I went to the place. When I got there I found T. J. Hargrave, the sheriff, J. L. Meade, the chairman of the Democratic executive committee, and George S. Dodds. The men came in whooping and yelling, in crowds, and just before the time arrived for the speaking, a committee of one came to me, Mr. F. L. Fulgum, who was candidate on the Democratic ticket for supervisor in beat four. He came and said to me, "We are having peace and quiet

down here, and," he says, "we don't want any speaking." I says, "Mr. Fulgum, I want you to understand that I didn't come here to break up your peace and quiet; I did not come here to make any incendiary speeches or anything of that kind, but I came here to exercise a right that is guaranteed by the Constitution." "Well," he says, "I have come to you to tell you that we don't want any speaking, and you had better not speak." "Well, now," I says, "I will tell you this: I came here to speak and I am going to speak, and you men here can murder me if you feel so disposed, but I will guarantee to you one thing, that I am going to kill some of you whenever you attempt to do it; I am going to speak right here on this ground. It is my meeting, you were not invited here, and you are trying to intimidate me and keep me from speaking." I says, "You know my father is a tax payer in this county, and you have boarded at his house and been treated as a gentleman, and I want to ask you if you are treating me as a gentleman when you come here and tell me that I shall not speak." "Oh, no," he says, "I don't mean to say that you shall not speak, but then we must have a division of time." I says, "That suits me exactly; I want a square division of time, and I am willing to give it to you." I divided time with Mr. Dodds. Mr. Meade was there, and they all agreed that I should open the debate in one hour and have thirty minutes to close. I closed on my thirty minutes, and this man Meade got up and he began his speech by denouncing Mr. Matthews in the most violent terms, and Colonel Cook, the ex-sheriff, was being prosecuted and sued for a large debt he owed the county, and he said that Matthews had instigated it, and he went on to use very violent language in regard to it.

Q. Mr. Meade was not a party to that arrangement of a division of time, was he?—A. No, sir; but he acted mean enough to come in after making the agreement to close the discussion, and after I had given them an equal division of time. I told Mr. Fulgum also in that same conversation that I had four good men there who said they were going to stand by me and see that I did speak, and he said then that that was all right, and that he would use his influence to have peace and quiet.

Q. Do you think of anything else you desire to state?—A. I believe that is about all. Well, at Crystal Springs there is one thing. At the firing of the cannon at Hazlehurst, shortly after the telegram was received that Mr. Matthews was killed, they fired off a gun; and then the members of the band were ordered out, and they came out and they took the band stand just in front of the railroad and the hotel, and they played martial music there for about an hour. I had a copy of that letter that they wrote me.

By Mr. JONAS:

Q. How is it that you have not the originals of these documents?—A. I will state to the gentlemen who represent the Democratic part of the committee——

Q. We represent the United States Senate.—A. Well, whoever you represent, if you want them I will state to you that T. J. Wharton, the circuit judge, has that letter in his possession now, and I submitted this to him and he said it was a literal copy of the letter which was handed to him.

Mr. FRYE. Mr. Jonas simply wanted to know if you had the original.

The WITNESS. No, sir; T. J. Wharton, the circuit judge, has it, though. It was handed to him with the request that he intercede in my behalf; I thought it was very wrong that they should be persecuting me; I had done nothing.

Mr. FRYE. Produce the copy if you have it.

The WITNESS. I have my letter here to the United States district attorney showing that I appealed to all the authorities for protection, but I don't believe that I have the other with me here.

By Mr. FRYE:

Q. Who is the district attorney?—A. It is the assistant United States attorney, H. R. Ware. Mr. Lee, the district attorney, was absent at the time, and it was very urgent, and I sent the letter by hand.

By Mr. SAULSBURY:

Q. What are Mr. Ware's politics?—A. He is a Republican.

By Mr. FRYE:

Q. As chairman of the Independent executive committee, and as candidate the year before for the Senate, and active in politics, you canvassed this county pretty thoroughly, did you not?—A. Yes, sir.

Q. Can you state how the county stands as to the registration of colored and white voters?—A. The county stands by the census of 1870—the colored vote is 180 in the majority. By the census of 1880 it is about even. There is not forty votes difference by the census. By the registered vote of Copiah County the blacks are in a majority.

Q. How much of a majority?—A. They are about 100 in the majority by the registered vote. I know this from the fact that as chairman of the executive committee I was appointed as a committee with Mr. Leon Matthews to look after the registration and see that our vote was registered properly and right.

Q. How many white men in Copiah County belong to the Indpendent Greenback-Republican party?—A. There are between 800 and 1,000, I think.

Q. Then you claim the majority ot registered black and white voters to have been several hundred over the Democrats?—A. Yes, sir; I claimed all the time that we would elect our ticket by a thousand majority.

Q. In beat three how does it stand?—A. In beat three I think our majority in 1881 was between three hundred and four hundred.

Q. In a vote how large?—A. I don't remember the vote exactly. I remember the majority better than I do the vote, from the simple fact that it is tabulated after the election, giving the majority at each precinct.

Q. Would it be two to one, or three to one, or what?—A. Nearly two to one, I think.

Q. Beat No. 2 was what in politics?—A. We called that the Gibraltar of the Democratic party; that is the term we gave it.

Q. That is the beat from which the honors were transferred to beat three?—A. Yes, sir; that was the beat.

Q. Beat three having become entitled to it?—A. Beat three having cast a more solid Democratic vote than beat two.

Q. Now, as to the colored men as voters. What ticket do they vote in Copiah County?—A. In Copiah County the Democrats had five colored men members of their club at Crystal Springs. They had three at Hazlehurst also, and outside of those I do not know of a colored Democrat in the county. The colored people, as a general thing, will vote any ticket in preference to anything that has a Democrat to it.

Q. How many of Mr. Matthews' speeches did you hear? He made four, you say.—A. Yes, sir; I only heard one.

By the CHAIRMAN:

Q Did you hear other political speeches on your side in the campaign?—A. Yes, sir.

Q. You made how many yourself?—A. I only made one, and that was at White Oak.

Q. How many meetings did you attend in the course of the campaign?—A. I attended a joint discussion between the Democratic candidates for the legislature and the independent candidates at Green's Store.

Q. Now, without going into or repeating the speeches, what were the subjects which the speakers spoke about. In the first place, was there anything said in the Republican speeches of a violent or inflammatory character, in your opinion?—A. In those speeches that I heard the only thing I heard calculated to get up any feeling was from Dr. Rowan. He went on and in his speech denounced everybody who were not Democrats as being traitors to their country.

Q. I am asking about Republican speeches?—A. In those speeches there was nothing in the world that could be considered inflammatory or calculated to stir up a man's feelings in the least, nothing personal.

Q. What were the nature of the arguments, and to what subjects did they relate?—A. It was the proving on the Democrats of their ballot-box stuffing by the evidence; reading affidavits, made by Democrats themselves, that at a certain box they had changed the returns, that the commissioners of election had changed them, and proving it up in such a way that they could not deny it.

Q. Was there any appeal to the negro, to a race feeling against the whites?—A. I never have heard the negro mentioned in any speech except on the part of the Democrats.

By Mr. SAULSBURY:

Q. You say you are a lawyer, I believe?—A. Yes, sir.

Q. With whom did you study law?—A. I studied law at Lebanon University.

Q. Where is that?—A. At Lebanon, Tenn., at the Cumberland University, located at Lebanon, Tenn. I studied law under Judge Carruthers.

Q. Where were you admitted to practice law?—A. In the town of Hazlehurst, in Mississippi.

Q. When was that?—A. In the spring of 1877, by the chancelor, Judge Peyton, who is now chancellor.

Q. Were you admitted upon any diploma from the institution?—A. I was admitted on my diploma from there and an examination. I was examined by Judge Cooper, now on the supreme bench, and Mr. Willing.

Q. Where did you reside at the time of your admission?—A. In Hinds County, just across the Copiah line.

Q. And you came into Copiah County for admission?—A. Yes, sir. The court was in session, and I wanted to get into practice. In our state you apply before any of the courts, the supreme court, the circuit court or the chancery court.

Q. You speak of having a docket and having important cases striken from the docket because of your absence. Will you name some of the important cases which you had?—A. I will name one case, a case of mandamus against the circuit clerk. That case involved about a thousand dollars.

Q. What was the name of that case?—A. It was G. E. Matthews *vs.* E. W. Brown, circuit clerk.

Q. What other important case did you have?—A. In another case I was the attorney in prosecuting Mr. Cook in his defalcation to the county.

Q. What Cook?—A. W. W. Cook.

Q. Who was the plaintiff in the case?—A. The State of Mississippi. He was sued on his bond as sheriff of the county.

Q. By whom were you employed to prosecute in that case?—A. I was employed by the Board of Supervisors of Copiah County.

Q. What was the amount involved in that case or claimed to be due?—A. There were three suits. He was sheriff three terms, and there was a suit on each of his bonds.

Q. It was on an official bond, then?—A. Yes, sir; the three suits covering in all about $25,000. By the code of the State, they recover 30 per centum damages. The three suits for damages amounted, I suppose, to $25,000.

Q. What other important cases of yours were stricken off?—A. Most of the other cases were small cases. I do not know that any of those were stricken off.

Q. These two, then, were the only important cases.—A. Yes, sir. The fact is, the others, a good many of them, had been continued at Mr. Miller's suggestion; he was candidate for district attorney. He insisted on my accommodating him and letting those cases pass over, and I wrote the circuit judge a letter specially asking him to pass all my cases until I could come there.

Q. You were chairman, I understand, of the executive committee of the Republican party of Copiah County at the time—at the last election.—A. Yes, sir. I do not know whether you would call it Republican or not. It was a fusion. The committee was composed of about half Republicans and about half of what you would term Independents.

Q. I understood you to say, in the early part of your testimony, that you had a difficulty with a man by the name of Hart, if I have got the name correctly.—A. I did not have any difficulty with him; he attacked me on the street. That is the name.

Q. Who was Mr. Hart?—A. As to the character and standing of Mr. Hart, owing to the position I occupy, I do not think I ought to say anything; I leave it for others to testify about. Of course I have no very good feeling for the man, and I would rather leave that for other men to testify to.

Q. How did that difficulty occur? Repeat it; I want it again.—A. I went to Jackson on the night of the 4th. I went for the purpose of defeating a colored man whom the Democrats had recommended to represent the Republican party of the county as commissioner of elections.

Q. I am not inquiring about what took place before.—A. This is all connected with it; I am going to give you the complete story.

The CHAIRMAN. I think if Mr. Saulsbury asks you in cross-examination a particular fact or part of the narrative, you should be careful to confine your answer to what he asks. You have given the narrative. Now, Mr. Saulsbury asks you a question as to the actual occurrence of the attempt upon you which you have related, as I understand.

Mr. SAULSBURY. Yes; because I want to inquire hereafter into that fact. I want him to state how it occurred.

The WITNESS. I am going to state that now. At my room on the morning of the 6th Mr. Matthews came to my room——

Q. Oh, that has not any connection with Mr. Hart; that occurred near the hotel? Limit yourself to that.—A. Well, I was going to my

office or place of business, and I saw Mr. Hart with several others standing on the corner of the street.

Q. Where were they?—A. Right at the hotel—right at the southeast corner of the hotel. As I was passing between Mr. Hart and Mr. Bailey, Mr. Hart remarked, "I understand you say that you did not make any slighting remark about Mr. Bailey." I told him I did not, and could prove that I did not. "Well," he says, "you are a damned liar," and commenced to draw his pistol. I snatched my knife and struck at him, and as he ran I struck him right on the shoulder and cut his coat.

Q. Had he any pistol in his hand pointing to you at that time?—A. I saw it in his pocket; he pulled it out of his pocket.

Q. Then you made an assault on him with a knife?—A. No, sir; I say that he gave the damned lie, and was drawing a pistol at the same time.

Q. He was not pointing at you, was he?—A. No, but he gave the damned lie and was drawing it.

Q. Where did you cut him?—A. I didn't cut him at all, I just cut his coat in the shoulder, and I wished afterwards I had been closer to kill him, and I would not have been shot, for I suffered a good deal.

Q. When he ran did you follow him at all?—A. I could not follow him because I was crippled. I was trying to get away from there. I knew my life was in danger. I knew any way I went I would be killed, and they left me for dead. There is a newspaper man here now who wrote up my obituary.

Q. Before Mr. Hart shot you were you hurt at all?—A. Yes, sir; I had been broke up with a horse.

Q. But not from any injury that you received at the hands of anybody?—A. No, sir.

Q. Did I understand you, in your examination in chief, that Mr. Hart ran when you cut him?—A. Yes, sir.

Q. Was he in the act of running when you struck him with your knife?—A. Yes, sir; he was in the act of running and drawing his pistol.

Q. Running from you?—A. Yes, sir, of course; we were both running.

Q. The shooting of you by Hart, was after you had cut Hart with a knife, as I understand your testimony?—A. Yes, sir; that was it.

Q. How long after you had cut him?—A. He ran for about fifty yards and turned around and shot me.

Q. How far off was he from you when you cut him?—A. I suppose about fifty yards. It was about as far as from Senator Cameron there to that far corner. [Indicating.]

By the CHAIRMAN:

Q. I think there is some misunderstanding; I think you mean rods.—A. I think it was about fifty feet.

By Mr. SAULSBURY:

Q. About fifteen yards then?—A. Yes, sir.

Q. After that time you were confined to your bed or house for some time?—A. Yes, sir; I was confined, I think, about four weeks at the hotel. Mrs. Matthews can tell better about that than I can; she was there and waited on me. I was suffering so much that I did not keep much note of the time.

Q. What time was it that you were shot?—A. My recollection is that Monday was on the 4th of September, and I think it was on the morning of the 6th of September. I will tell you what I measure the date by. It was exactly two months from the date I was shot that Mr Matthews was killed.

Q. I want to fix the time you were confined in the house. I understand you were four weeks at the hotel and one week at Mr. Matthews house?—A. I state that as my recollection.

Q. You have testified to certain outrages, as they are called, which occurred at that time of which you had notice. I want to get this fact out; were these outrages matters of which you had personal knowledge which occurred while you were confined to your room?—A. Yes, sir; that I state I had personal knowledge of I think.

Q. But I mean of these outrages in beat 3, the killing of Wallis, the whipping of others; were they matters of your own knowledge?—A. I did not state that.

Q. They were matters of information only?—A. They were currently reported all over the town and the county.

Q. You give them then as matters of rumor and of current report?—A. Yes, sir.

Q. And not of personal knowledge?—A. But not denied by any one. And then I was the prosecuting attorney in these cases, some of them, and drew up the affidavits.

Q. Let us come to the affidavits. You say you went before the mayor and drew up affidavits, which were signed, asking for the arrest of certain parties?—A. Yes, sir.

Q. Who were those affidavits made before?—A. The mayor of Hazlehurst, E. C. Williamson.

Q. Who were included in those affidavits upon which warrants were to be issued for their arrest?—A. I have given the names of them. E. B. Wheeler—

The CHAIRMAN. Do you want those names repeated?

Mr. SAULSBURY [reading from his memoranda]. E. B. Wheeler, J. W. Bailey, J. W. Purser, Reuben Morrison, Charles Hart—that is the man who cut you is it?

The WITNESS. Yes, sir.

Mr. SAULSBURY [continuing to read]. J. F. Thompson, Marion McCree, Joel East, Frank Davis, Emmitt Spencer, J. B. Middleton, and a man named Higdon; those are the ones?—A. Yes, sir.

Q. Who made these affidavits, do you say?—A. T. E. Matthews.

The CHAIRMAN. You have not mentioned J. F. Wood.

The WITNESS. Yes, he was another, also. T. E. Matthews and H. H. Barlow made the affidavits.

By Mr. SAULSBURY:

Q. You did not sign any of the affidavits yourself; you simply drew them?—A. That is all.

Q. You spoke of the parties coming to the house of Mr. Matthews for the purpose of having him appointed a deputy; that the sheriff of the county came there, you say, with Mr. Wood for the purpose of getting Mr. Matthews appointed a deputy, if I understand your testimony in chief right?—Yes, sir; it was T. J. Hargrave and J. L. Meade and John Lowe.

Q. What occurred at that interview; were you present?—A. Yes, sir; I was present.

Q. What occurred at that interview?—A. We had been down in the town——

Q. I want to know what occurred at the interview; not what occurred down town?—A. They came in. Mr. Leon Matthews was at supper and they came in the parlor. Mr. Hargrave remarked to Mr. Matthews that he had come to deputize him to go out and arrest that mob;

that he was an old sheriff and knew how to do it. Mr. Matthews said to him "Captain, I have been informed, not more than half an hour ago, that there was going to be just such a thing as that gotten up to have me killed." At that time Mr. Leon Matthews pulled out the letter that Mr. Matthews had received, a threatening letter, telling him what would be done with him in case there were any outrages perpetrated in any part of the county, or if anybody was killed what he would suffer, &c. Then Mr. Matthews remarked, he says, "Now this looks mighty strange to me. I am a leading Republican here and every one of you who has made a speech has denounced me as one of the meanest men in the world, and have said that I am at the bottom of this whole independent move, and if I was out of the way the whole thing would drop. It looks as though there was something in it; that it is a conspiracy to have me murdered." After reading this letter Captain Hargrave was frank enough to say that it did have that appearance, but he pledged his word and honor that——

Q. He denied, so far as he knew, that there was anything in it?—A. Yes, sir.

Q. What did Mr. Meade say on that occasion? That is what I want to get at.—A. Mr. Meade went on and got a little wrathy there, and used some cuss words.

Q. He did not admit there was any such conspiracy?—A. No, sir; he did not admit it.

Q. Didn't Mr. Meade repudiate that idea as an insult to him, that he should be charged with any such thing?—A. Oh, yes, sir.

Q. There was no acquiescence on his part, or inference from anything that he said that he had any knowledge of such a conspiracy if I understand you; he repudiated it?

The WITNESS. In that conversation?

Mr. SAULSBURY. Yes; I am confining myself to that conversation. Now, you have spoken of several outrages which were reported to you—the killing of Wallis, the shooting of somebody else and his wife, the whipping of others, and disorders generally; I understood you to say those were matters of information and not matters of personal knowledge.—A. I said that they were from current report.

Q. Well, not matters of which you had cognizance yourself?—A. Only as the attorney in the Wallis case.

Q. But you did not see the outrages committed yourself?—A. Oh, no, sir.

Q. You have spoken of the killing of Matthews—a very unfortunate affair—you did not see that?—A. No, sir.

Q. You left Hazlehurst for the purpose of going to Crystal Springs, or some place, to superintend the election yourself; you were not, therefore, in Hazlehurst on the day of the election?—A. No, sir.

Q. Where did you remain up to the 23d of December, at the time you started for the city of Washington?—A. I remained in bed, at my father's, sick with typhoid fever.

Q. How far was that from Hazlehurst?—A. About 18 or 20 miles.

Q. In a different county, was it?—A. Well, I can tell you the distance; it is 23 miles from Hazlehurst.

Q. What county was that in?—A. It is right on the line of Copiah and Hinds; his residence is just in Copiah County.

Q. You were then in Copiah County up to the time you left for Washington in December?—A. Yes, sir.

Q. What time do you say you left in December?—A. My recollection is on the 23d.

Q. You remained in Washington from that time until you started here, did you?—A. Yes, sir.

Q. Had you any conversations with any one in the city of Washington with reference to this Copiah affair?—A. Yes, sir; I had general conversations with them.

Q. Be good enough to state now with whom you conversed in reference to this affair.—A. One of the men that I conversed with; I conversed with Senator Frye, I think.

Q. Who else?—A. I conversed with Mr. Holland, Major Barksdale's messenger.

Q. Who else? I want to know the parties with whom you conversed.—A. I think I told these facts to Senator Sherman.

Q. You reported these facts to Senator Sherman; what time was that?—A. That was after he had offered the resolution to investigate these outrages.

Q. Did you, or did you not, have any conversation with Senator Sherman prior to the offering of those resolutions?—A. No, sir; I did not. I never met him.

Q. Was or was not your object in going on there for the purpose of trying to have an investigation into this affair; was not that the business which took you to Washington?—A. Partly. My business was to go there and see this: If we, as Republicans here in the South, were to be murdered like dogs and have no more protection than the worms that crawl in the street; to see if the National Government would sit idly by and see that done. I had appealed to all the authorities I knew of in the State of Mississippi for protection and could not get it; and that was partly my object, and that is partly my object now, to appeal for my people who are there yet and see that they have some protection.

Q. Your object, you say, in going to Washington was partly to see if there could not be some inquiry into this affair?—A. Yes, sir.

Q. Did you ask those gentlemen that you say you conferred with there to get up an investigation?—A. No, sir; I did not.

Q. Had you any conversation with General Chalmers in reference to this affair there?—A. Yes, sir; I talked with General Chalmers, and I talked to Mr. John T. Hull.

Q. Did you or did you not furnish the names of parties to be summoned before this investigating committee to any person in the city of Washington?—A. Yes, sir; I gave some of the names. I gave the names of some of those men who had been outraged and been shot.

Q. Were you not acting as prosecuting witnesses usually act in criminal cases; were you not furnishing the information upon which was to be predicated this investigation to the gentlemen in Washington?—A. No, sir; I was not doing that specially.

Q. You gave them the names of persons to summon?—A. Yes, sir.

Q. Did you or not give them facts upon which to base the investigation?—A. Certainly; I gave them the names of all the witnesses that I knew, every man that I knew that had been outraged. I thought they were the best witnesses of that fact.

Q. Did you furnish them with a list, or name to them a list, of the different outrages that you say had occurred in the county?—A. Yes, sir; I gave them a list of the different men that I believed had been outraged.

Q. Did you confine yourself in your list of names of outrages that had occurred in Copiah County to matters within your own knowledge, or did you furnish them the names of persons outraged that you had no personal knowledge of, except from information?—A. I furnished them

those that I had personal knowledge of as being the attorneys in the case for them, and then I furnished those that it was the current rumor had been outraged, and many of them I had seen, and seen the bruises on them.

Q. Did you make a written list of these different outrages that had occurred in the city of Washington, or did you just speak of them; did you furnish them in writing to the parties?—A. I gave the names on a slip of paper of the men and what had been done.

Q. How many interviews had you with Senator Sherman with reference to this matter?—A. I never had any interview at all with him.

Q. You said you conversed with him.—A. Yes, I did; I went to his room and saw him. When Senator Sherman introduced the resolutions I felt an interest in them, and I went then and saw Senator Sherman in regard to the resolutions, to see what their object was, and so on, and then he said to me that the Committee on Elections had that matter under consideration, and Senator Hoar was the chairman, and for me to see him.

Q. Now, referring again to General Chalmers, did you or not make an arrangement with General Chalmers to interfere to procure an investigation; didn't you through him seek to procure this investigation?—A. I did not, sir. I simply stated to him the facts that had come under my observation, and made the same declaration to him; that I thought that if we, as American citizens, had to stay down there and be murdered for voting the Republican ticket, that the United States Government ought to let us know it, and let us either get away from there or cease voting.

Q. I believe you came on the same train with this committee from Washington?—A. Yes, sir.

Q. Where were you summoned?—A. In Washington City.

Q. Who summoned you?—A. Mr. Reade.

Q. What kind of a summons; verbal or written?—A. A written summons.

Q. Have you a copy of it?—A. No, sir; I have not. I did not ask for a copy of it.

Q. Who defrayed your expenses in your trip here?—A. I will defray my own expenses, I suppose.

Q. Did you pay for your visit down here, sir?—A. No, sir; I have not done it yet.

By Mr. JONAS:

Q. Were you examined before, in Washington, by this committee or any members of it, before leaving?—A. Mr. Frye, I think, asked me some questions in regard to what I knew.

Q. Did he get from you full details of all you knew?—A. No, sir; he did not.

Q. Did he make written memoranda of what you knew?—A. I really do not know whether he did or not.

Q. You ought to know?—A. Well, I do not.

Q. Did he take down any memoranda when you gave him your testimony?—A. I don't think Mr. Frye was writing any while I was talking.

Q. How many days before the committee left Washington did you see Mr. Frye and converse with him?—A. I saw him, I believe, the day before, or two days before.

Q. Hadn't you seen him previous to that?—A. I saw him the evening I was subpœnaed.

Q. Hadn't you seen him from the day that you were notified by Sena-

tor Sherman that the Committee on Privileges and Elections, of which Mr. Hoar was chairman, had charge of the matter?—A. No, sir.

Q. Did you see Mr. Hoar after that?—A. Yes, sir.

Q. Were you not referred by him to Senator Frye?—A. Yes, sir.

Q. Didn't you see Senator Frye again?—A. Yes, sir.

Q. Did you converse particularly with Senator Frye about this case then?—A. I told Mr. Frye, as I recollect, everything I knew about this matter, with the exception of articles from the papers and the resolution that was served, and the letter to me telling me to leave; I do not think I had those with me.

Q. But you furnished him with information as to all those matters?—A. I told Mr. Frye of every outrage that had come under my observation.

Q. The information that you gave Mr. Frye was of as full a character as that which you have given the committee to-day?—A. Oh, no; I don't think so.

Q. Well, it was in your power to have given as full testimony there as you have given to-day, wasn't it?—A. I don't know whether it was or not.

Q. Was not your memory as good then as now?—A. Yes, sir.

Q. Didn't you remember all those facts then which you have detailed here?—A. Yes, sir.

Q. Didn't you furnish a list of names and of all these outrages to Senator Frye at that time?—A. No, sir.

Q. Could you not have done it?—A. No, sir.

Q. Where have you got any information since?—A. I have got the name of one man who was shot since.

Q. The balance you knew?—A. Yes, sir.

Q. After seeing and consulting with Senator Frye, you came right down here with the committee, didn't you?—A. No, sir; I have the names of several who were whipped.

Q. Where did you get them?—A. I got them since I came here.

Q. Are any of those the persons and occurrences you gave as personal knowledge?—A. No, sir; current rumor.

Q. All the facts, then, within your personal knowledge, you knew in Washington?—A. Yes, sir.

Q. And the greater portion of the facts you have detailed you knew in Washington?—A. Yes, sir.

Q. And you detailed them to Senator Frye at the time?—A. I did not go into particular details.

Q. You could have done it if you desired?—A. Yes, sir; certainly.

Q. Therefore, if the committee desired to take your testimony, they could have taken it as well there, as here, couldn't they?—A. I do not know. Mr. Frye said they were in a great hurry. They started on Tuesday, and Monday I think was the first time I had any special talk with Mr. Frye.

Q. Just try and fix your memory about that now.—A. It was on Monday.

Q. But didn't you see and talk to Senator Frye before Monday about this thing?—A. I think I did.

Q. Didn't you do it before Saturday? Didn't you do it early in the week before?—A. I don't recollect whether it was Saturday I saw him or not.

Q. You had several interviews with Senator Frye?—A. I only had two that I recollect. One was before this; I don't know but what it was on Saturday.

Q. I only want to show, my object is to show, that your testimony could have been taken just as easily in Washington as here without putting the country to the expense of bringing you down here; and I want to show that you had conversations with Senator Frye and detailed facts to him which you could have testified to before the committee in Washington. Is not that true?—A. No, sir.

Q. Is it not true?—A. No, sir; because I have papers now——

Q. I am not speaking of the papers; they could have been added. You had knowledge of those papers, had you not?—A. Yes, sir; but they were not in my possession then.

Q. What papers do you refer to?—A. The letter written by Mr. Matthews threatening his life.

Q. That has been put in evidence by other parties, by Mr. Matthews's brother and son?—A. No, sir; that letter is not in here now.

Mr. FRYE. That is another letter.

The WITNESS. Then I have the resolutions which were passed, which were served on T. E. Matthews, the merchant in the country.

Mr. JONAS. Have you put those in evidence now?—A. No, sir; not yet.

Q. I am asking you about what you have put in evidence here.—A. I say I have them, and they are to go in.

Q. Did you have any consultation with the Republican members of the committee as to the propriety of going to Hazlehurst to take this testimony?—A. I think they asked me what I thought about it, and I was frank to tell them that I thought an investigation there at Hazlehurst would be a perfect farce; that the Democrats still kept up their organization, and they would intimidate the colored people and keep them away, and if they got wind of them there they would stand at the door and wink at them and point their finger at them, as much as to say to them, "Now you tell anything and we will kill you for it."

Q. And you advised them therefore not to go there to take the testimony?—A. Yes, sir.

Q. And not to go anywhere in Copiah County? What advice did you give to the committee; that is what I want to know. Do you mean to say that when they asked you, you advised them not to go to Copiah County for the reason that you have stated?—A. Yes, sir.

Q. Did you give them any advice as to going to Jackson?—A. No, sir; as well as I recollect, my advice was to make the investigation at Oxford, Mississippi.

Q. What were your reasons for advising them to go to Oxford?—A. My reasons were to get the investigation out of the reach of this dead-head element that were in that mob so that they could not dead-head their way there in order to get to the committee room and intimidate and terrify witnesses and go around the country and keep them away. That was my object.

Q. What do you mean by a "mob"?—A. By a mob I mean men in arms in violation of the law, going and intruding on men in their private homes, and disturbing the peace and enjoyment of their homes, and killing people.

Q. Did you expect that to be going on at Hazlehurst when this committee got there?—A. Yes, sir; I expected they would inaugurate it right away.

Q. Has it been going on since you left there?—A. No, sir.

Q. How had you any knowledge that anything of the kind would occur there when this committee came there?—A. I had already seen what they had done during the election, and I knew that this was partly an investigation of frauds perpetrated during that election. Here is

the way I reasoned about it, and the way I told it to the committee: If they would perpetrate these frauds and murder men to keep them from voting, they would certainly murder them to keep them from bringing the facts out before the public.

Q. Then you tried to impress upon the committee that they—— A. No, sir, I did not.

Q. Who do you allude to, to the men or the committee?—A. I allude, most assuredly, to this mob and to the witnesses; that they would murder the witnesses before they would let them come up and testify.

Q. Did you intimate to this committee at all that their personal safety would be in any manner endangered by going to Copiah County?—A. I do not know that I did.

Q. Try and think if you did or not.—A. I do not think I did, because I knew that this committee was under the proteetion of the United States Government, and they dare not hurt any of them.

Q. Was not that the reason that you wanted the committee to go to Oxford, so that they would be under the protection of the United States Government?—A. No, sir; I do not know that it was.

Q. Wasn't it because there was a Federal court there?—A. No, sir; I have told you my reasons.

Q. Was not that one of the reasons?—A. No, sir. I have just told you the principal reason that I gave Mr. Frye, and he can tell you that it was to get an investigation outside of the community of men who participated in these frauds, and murdered these men to keep them from voting, and shot the cannon at the polls—to get it out of their reach, so that they could not dead-head their way to it.

Q. In doing that you desired to get the committee entirely away from the county of Copiah?—A. I had rather see it away from there.

Q. Were all the people of Copiah County engaged in these mobs?—A. No, sir; but the good people who are there are afraid to speak out against it and antagonize it.

Q. The highest estimate you have made of these mobs is 150 or 200 isn't it?—A. Yes, sir; the highest I ever saw.

Q. What is the Democratic vote in Copiah County?—A. I suppose about 2,000.

Q. Then there was not more than ten per cent. of them engaged in these demonstrations?—A. There are more than that in the county at times, if I may state general rumor about it; 150 is as many as I saw in a body.

Q. And those kept moving about from one part of the county to another; sometimes they went east and sometimes west?—A. Yes, sir.

Q. Therefore there were less than 10 per cent. of the people engaged in these things?—A. I don't know what per cent.

Q. And although they were armed and on horseback, they were attending political meetings, weren't they?—A. I don't know; They attended that meeting in Hazlehurst.

Q. That was a political meeting; Major Barksdale spoke, did he not?—A. Yes, sir.

Q. Therefore, in order to keep the committee away from this mob you wanted to keep them away from the whole people of Copiah County?—A. Not so much to keep them from the people of Copiah County as from these men.

Q. This handful of men?—A. Yes, sir.

Q. But outside of this handful of men there are 5,000 voters in Copiah County, are there not?—A. Yes, sir; something over 5,000.

Q. And the committee would not go there, it would not be proper for

them to go, in your opinion, because there were some 150 or 200 armed men riding about and committing outrages before the election?—A. I do not say the committee would be in any danger; I say——

Q. I am speaking of the policy of taking evidence there.—A. Well, just as I have given it before I state it now, that the investigation would have been a farce there.

Q. Did you give them any reasons why they should not go to Jackson?—A. I think I told them that Jackson would be badly crowded at this season; that the legislature was in session, and they would have difficulty in getting rooms.

Q. Was there any suggestion made about Wesson?—A. No, sir; I did not hear anything about Wesson.

Q. Or Crystal Springs?—A. No, sir.

By Mr. FRYE:

Q. Didn't you say to the chairman of the committee, Senator Hoar, and didn't you say to me, that you thought the members of the committee would be treated with entire courtesy in Copiah County and at Hazlehurst?—A. Yes, sir; that is my recollection; and I told you, also, that they would do it for the reason that they knew you were under the protection of the United States, and they would do it in order to plaster the thing over.

Mr. FRYE. That is all. I want to put in some papers by and by. I want to recall young Mr. Matthews—J. M. Matthews—for a moment.

J. M. MATTHEWS (recalled).

By Mr. FRYE:

Question. I want to call your attention to any attempts that were made to secure counsel in Hazlehurst to prosecute the men who did the shooting of Burnet; did you have anything to do with that matter?—Answer. Yes, sir.

Q. At whose request?—A. Mr. Burnet's.

Q. What did you do?—A. He requested me to see Mr. Miller.

Q. Who was Mr. Miller?—A. He was an attorney there at the bar, and afterwards elected district attorney on the Democratic ticket.

Q. He was on the ticket then?—A. Yes, sir.

Q. Did you go to him?—A. I did.

Q. What took place between you and him?—A. I met him on the street, and we sat down in front of a house, on the steps, and got to talking about it. I told him that Mr. Burnet had sent me to him; that he would rather he would take charge of the case if he would do it; and that I wanted to see that somebody took charge of the case; that I did not expect Mr. Burnet would live, and the doctor didn't think so, and that Burnet had requested me to go to him. I told him also about young Hart when he was called before the mayor, and asked if he had an attorney, and who it was, and he replied that the Hazlehurst bar was his attorney, and Mr. Miller spoke up and said that he had met Mr. Meade that morning, and he told him that he had seen most of the bar, and that they had gone into it, and that he had just pledged the whole bar for his defense. And Mr. Miller, in connection with that, said that Meade told him that Hart was a Democrat, and he thought they all ought to go in and defend him. He said he told Meade that while Hart was a Democrat that he was not that kind of a Democrat; at least, he would not defend Hart free of charge, just because he was a Democrat, for shooting Burnet, though he said he

would not prosecute, he would not defend, and preferred not to take the prosecution.

Q. Do you know where the attorney was obtained finally?—A. At Brookhaven.

Q. Is that outside of the county?—A. Yes, sir; it is in Lincoln county.

By Mr. SAULSBURY:

Q. Mr. Miller was a candidate at that time for office, was he not?—A. I don't know whether he was nominated. I don't know that he had been nominated by the Democrats; but I believe he had.

Q. Did he not decline to be connected with the prosecution in that case simply on the ground that he was a candidate for office before the people of the county, and did not desire to be connected with the case at that time?—A. No, sir; he did not state those reasons for it.

Q. Was there any fee tendered to him or to any other counsel there?—A. I did not see any tendered to him.

Q. He was simply talked to; there was no retaining fee offered to him so far as you know?—A. I did not see any offered.

Mrs. MARY MATTHEWS sworn and examined.

By Mr. FRYE:

Question. Where do you reside now?—Answer. At Oxford, Mississippi.

Q. Is your whole family with you at Oxford?—A. Yes, sir.

Q. How long ago did you leave Hazlehurst?—A. I left there in November, on the 26th of the month.

Q. Did you leave there with the expectation of ever returning?—A. No, sir.

Q. Did you take your family with you expecting any of them to return there to live?—A. No, sir; I do not expect any of them to go back there to live.

Q. Why will not you or your family go back to Hazlehurst to live; is not your property there?—A. Yes, sir.

Q. Your husband had a good deal of real estate there, didn't he?—A. Yes, sir; he had some.

Q. And considerable property outside.—A. Yes, sir.

Q. Why will not you and your whole family go back to Hazlehurst to live; in other words, are you afraid to go back there to live with your family?—A. Well, I think their resolutions were enough for me to take my children and leave there.

Q. And to remain away?—A. Well, I intend to.

Q. How long had you lived in Hazlehurst?—A. I have been living there 12 years.

Q. How long had you lived in Copiah County?—A. I was born and raised there.

Q. All of your family residents of Mississippi?—A. Yes, sir.

Q. Why did you go to Oxford; had you two boys in college there?—A. Yes, sir; my two oldest children were there.

Q. They are now in college, are they?—A. Yes, sir.

Q. What was your husband's business, a merchant?—A. Yes, sir.

Q. Had he been merchandising ever since you and he had been living at Hazlehurst?—A. Yes, sir; after he was sheriff. He was sheriff for some time, and then went to merchandising.

Q. He was elected once or twice sheriff, was he not?—A. Yes, sir.

Q. And also appointed sheriff?—A. Yes, sir.

Q. Did you see anything and hear anything of this crowd of mounted and armed men around Hazlehurst at the time of the election?—A. Yes, sir.

Q. State what you saw and heard?—A. Well, I saw them on the streets; they passed my house.

Q. How many of them should you think there were?—A. Well, I reckon there were 75 of them.

Q. Did you see them just before they sent a resolution to your husband?—A. Yes, sir.

Q. Were they armed?—A. Yes, sir.

Q. Did you see the guns?—A. Yes, sir.

Q. Did you hear them say anything when they rode by your house?—A. They said, "Somebody had better get away," "Somebody was mighty sick," two or three times.

Q. Was there more than one who said that?—A. Yes, sir; there were four or five of them.

Q. Did they shout as they went by?—A. Yes, sir; they were hollering.

Q. Did you notice whether they stopped a short distance from the house?—A. Yes, sir; they stopped right at the bridge, near the house.

Q. How long did they stop?—A. I don't know how long; a few minutes.

Q. Following that stop, did a man come to your house with a message, a resolution?—A. Yes, sir.

Q. Who was it?—A. Mr. John McLemore.

Q. You may state what took place when he came to the house.—A. He rode up to the gate, and asked Mr. Matthews to come out; and he asked him to come in, and gave him a chair; and he talked to him a while; and he said that he wanted to see him privately, and stepped in the hall and handed that resolution to him; and I stepped in there and read it myself.

Q. You read it yourself?—A. Yes, sir. Mr. Matthews handed it back to him, and I asked him to give it to me; and I saved it and put it in my trunk.

Q. Have you got it now?—A. It is at home in the trunk at Oxford.

Q. I will read to you a resolution which has been testified to here in the committee: "Whereas it is thought that the public good will be subserved if Print Matthews should abstain from visiting the polls on election day, Resolved by the citizens of this town that the said Print Matthews be advised to remain within his own inclosure on election day." Is that the resolution you refer to?—A. Yes, sir; that is the one.

Q. You read that, and have the original at home now?—A. Yes, sir.

Q. What did your husband say to Mr. McLemore?—A. He told him he was going to vote; that they might murder him, but he would cast his vote; that it was his privilege and right; that he had as good a right to vote as he had, or any of the rest of them, and that he should do it.

Q. Did this man then leave?—A. Yes, sir; he went back to the mob, and reported what was said.

Q. Did you see the mob again that night?—A. Yes, sir.

Q. What did they do?—A. They traveled around the streets until Major Barksdale went to speak, and then they went up there, and whooped and hollered and cut up.

Q. Was there firing around town there that day?—A. Yes, sir.

Q. Did you hear any firing yourself?—A. Yes, sir.

Q. How much?—A. I don't know, but a good deal of it.

Q. Had you heard any before around anywhere in the town?—A. No, sir. Well, as they came in in the morning they came in firing.

Q. They would come into town in the morning?—A. Yes, sir.

Q. Then they were out in the country in the night?—A. That is what they said, that they had been riding all night.

Q. And in the morning they would come in firing?—A. Yes, sir. They were in there.

Q. The next day was election day. Do you know Mr. Wheeler?—A. Yes, sir.

Q. Had he frequently been at your house?—A. Yes, sir; he had visited the house.

Q. Had he eaten at your table?—A. Yes, sir. Not a great while before that he had taken dinner or tea there one night.

Q. Were your husband and Mr. Wheeler on good terms?—A. Yes, sir.

Q. Do you know of any difficulty between them?—A. They never had any.

Q. Do you know if your husband ever had any difficulties with any of the neighbors?—A. He never had a difficulty.

Q. Was he a peaceable, quiet man in the neighborhood?—A. Yes, sir.

Q. How was he at home?—A. He was very quiet and peaceable everywhere.

Q. Did he or not keep open house? Did you have much company?—A. Yes, sir; we always had company.

Q. Do you know whether or not he had dealings with Democrats the same as with Republicans in his store?—A. Yes, sir; just the same.

Q. Do you know of any reason why anything was done to your husband other than political reasons?—A. That is all, I think.

Q. Did you see this crowd of men on election day after your husband was killed?—A. Yes, sir; part of them.

Q. Where were they?—A. On the streets and some of them at the gate and some of them in the yard.

Q. What were they doing?—A. I do not know what they were doing; standing around.

Q. Making a noise?—A. Well, in the daytime they had the band out and the cannon firing and rejoicing.

Q. Was Mr. Burnet at your house along about that time?—A. Yes, sir.

Q. How long had he been there?—A. He had been there a week or ten days, I believe. After he was able to go from the hotel he was moved to our house.

Q. When did Mr. Burnet leave your house?—A. He left Monday night before the election.

Q. When did he next return to your house?—A. On Thursday, I believe—Wednesday or Thursday.

Q. Do you know anything about the second resolutions, the long list of resolutions?—A. No, sir; I did not see them. They kept them.

Q. They kept them from you. Do you know anything about any difficulty in getting men to work for a burial-place after the close of day?—A. Yes, sir.

Q. Was there difficulty?—A. Yes, sir; they told the negro that dug the vault that he would have to leave there; that they would kill him if he dug it. He fixed the vault and left, and he has not lived there since. He has not come back. He did not quite finish it. He did not finish the cement. We had that done week before last. This man, Robinson, did not stay to finish it up.

Q. Did your husband take part in social life in Hazlehurst?—A. Yes, sir.

Q. Was he connected with any of the churches there?—A. He belonged to no church. He would go to any church or attend all of the churches, first one and then the other.

Q. Did he subscribe to the churches?—A. Yes, sir; he helped to support all of them, and helped to build.

Q. Was he liberal in his subscriptions?—A. Yes, sir.

Q. What part did he take when neighbors were poor and sick?—A. He always helped anybody who was in distress, no matter who it was. They never came to him and went off without anything. He divided with them.

Mr. FRYE. That is all, unless you wish to say something else.

By the CHAIRMAN:

Q. I would like to ask you a question. I would like to ask you if you ever heard your husband, in private or anywhere, endeavor to excite the hatred or angry feeling of any class of people against any other class, either in politics or any other way?—A. No, sir; he was not that kind of a man.

Q. What was his speech about his neighbors, as to being kindly or angry; what was his habit, whether he was a man of kindly and affectionate feeling toward his neighbors or otherwise?—A. He was kind to them and the neighbors all liked him. They had nothing against him, as they would say, except his politics. The people there in Hazelhurst seemed to like him.

Miss MARY MATTHEWS sworn and examined.

By Mr. FRYE:

Question. How old are you?—Answer. I am 19 years old.

Q. You are living at Oxford with your mother?—A. Yes, sir.

Q. Were you living at home about election time?—A. Yes, sir.

Q. How long had you been at home?—A. I had been at home all the fall—since summer.

Q. You may state what you saw while you were at home prior to that election of this mob that is spoken about?—A. I saw them come in town Monday morning. As they were coming in Mr. Meade and Mr. Hargrave went out and met them and came in with them. They rode in town and said they were not coming on that side of the railroad; but they came on that side and went all through the town, and then came back right by our house.

Q. Were they armed?—A. Yes, sir.

Q. Did you count the arms yourself?—A. Yes, sir.

Q. What kind of arms did you count?—A. Double-barreled shotguns.

Q. How many guns did you count in the mob?—A. I counted ninety.

Q. Did they make any noise?—A. They were hollering all the time.

Q. Did you distinguish anything that was said?—A. Only that "somebody had better get away; somebody was mighty sick."

Q. Was that repeated by many of them?—A. Yes, sir; a good many.

Q. Did you see them go away and make a halt anywhere?—A. It was in the evening. They came to the foot of the bridge and stopped there, and we thought they were all coming to the house; but our physician went to them and told them that my sister was very sick and asked them not to do it. They went to the bridge then, and we were told they were on their way to the house then. They stopped there awhile,

and then turned around and went back to the court-house, and then sent the resolutions by Mr. John McLemore.

Q. That resolution which your mother has described?—A. Yes, sir.

Q. You saw it and heard it?—A. Yes, sir.

Q. Can you remember your father's reply to that resolution?—A. Yes, sir.

Q. What did he tell that man?—A. He told him that he was going to vote unless they murdered him before he voted; that they could not do anything but kill him, and if he was not murdered before that he was going to vote; that he had as much right to as any of them, and he was going to exercise his right.

Q. Did you see this mob of men again after that Monday night?—A. I did not see them all together.

Q. Did you see them in separate squads?—A. Yes, sir.

Q. Around town?—A. Yes, sir.

Q. What were they doing on Tuesday?—A. I did not see them on Tuesday.

Q. On Wednesday?—A. They were around town. They had their guns all the time.

Q. Did they have a cannon and fire it?—A. Yes, sir.

Q. And a brass band?—A. Yes, sir; and played it Tuesday night and Wednesday night.

Q. On election day, on Tuesday, you were at your house?—A. Yes, sir.

Q. Did you know when your father left to vote?—A. No, sir; I did not know he had gone until I went through the house to look for him, and I went back and asked ma if he had gone; she said she reckoned so. I looked all through the house and could not see him anywhere, and then I went out on the front porch and sat down, and directly I heard a gun fire, and I knew what it was as soon as I heard it.

Q. You waited until you heard the gun fire, and knew what it was in a minute?—A. Yes, sir.

Q. Then what did you do?—A. I told ma I heard the gun, and I knew what they had done, and I went up town where he was, and they had the front door locked.

Q. You went to the town meeting-house and tried to get into the door?—A. Yes, sir.

Q. Who was at the door?—A. Mr. Cox, one of the inspectors; he was on the outside with the door locked.

Q. What did he say to you?—A. He told me I could not come in there, and I told him I was coming in anyway. He said I had no business in there, and could not come in. I told him I knew pa was in there, and that they had murdered him, and that I was going in. Mr. Groome came along and caught hold of me and carried me half way to the store, and I turned around and went back, and Mr. Cox told me he thought I had better go home and stay there. I told him I didn't care what he thought, that I was going in there; that it was none of his business. The door was still locked, and my uncle Leon came in a few minutes and they broke the door open then, and we went in.

Q. And found your father dead?—A. Yes, sir.

Q. Did you know Mr. Wheeler?—A. Yes, sir.

Q. Was your father on good terms with him?—A. Yes, sir.

Q. Did you see him at the house frequently?—A. He was there last spring. I remember one evening he was there.

Q. Did he trade at your father's store?—A. Yes, sir.

Q. Did you ever know of their having any difficulty?—A. I never did.

Q. What was your father's disposition amongst his neighbors; kindly and peaceable, or otherwise?—A. He was the most peaceable man, I think, I ever saw. He was always after people about saying things; always telling them that they talked too much, and it could not do them any good to say it, and they might as well just keep it to themselves; that it was no use to go around saying anything, even if it was true.

Q. Did he have any trouble with his neighbors?—A. He never did.

Q. Did he have any trouble with a Mr. Mitchell, or any such name as that?—A. No, sir; it was Mr. Wheeler and Mitchell. I don't know what the difficulty was; but the day Burnet was shot Mr. Mitchell was in town, and two of the Wheelers were carrying their guns all around town, looking after him. He was over at the hotel where Burnet was, and he asked my uncle to go up the street with him to meet Wheeler, and my uncle said he was a friend to both parties, and he would not go with either one, and would have nothing to do with it.

Q. So he would not take any part in the controversy?—A. No, sir.

Q. Were you there when the resolutions were brought on Thursday?—A. Yes, sir.

Q. Did you see those resolutions?—A. Yes, sir.

Q. What time were they brought; was it the day your father was buried?—A. They were brought just as we got back from the burial; ma had not got back yet; just us children had gotten back.

Q. Do you think of anything else that you wish to testify to before the committee?—A. No, sir.

Miss JESSIE MATTHEWS sworn and examined.

By Mr. FRYE:

Question. You are another daughter of Mr. Print Matthews?—Answer. Yes, sir.

Q. How old are you?—A. Sixteen.

Q. Are you living now with your mother at Oxford?—A. Yes, sir.

Q. Do you ever expect to go back to Hazlehurst to live?—A. No, sir; I don't believe we will.

Q. You were at home for the fortnight before election, were you not?—A. Yes, sir.

Q. Were you sick?—A. Yes, sir.

Q. Confined to your bed?—A. Yes, sir.

Q. You were the sick daughter who has been talked about in this investigation?—A. Yes, sir.

Q. Did you see this crowd at any time?—A. Yes, sir; I saw them on Monday.

Q. Did you hear them?—A. Yes, sir.

Q. Did you hear them at any other time than on Monday?—A. When they went out on Monday evening.

Q. Did you hear them after your father was killed?—A. Yes, sir.

Q. Did you hear the gun and the band?—A. Yes, sir.

Q. How far was your house from the railroad depot—a short distance?—A. Yes, sir.

Q. And how far from the county buildings—a short distance?—A. Yes, sir.

Q. Could you hear men talking out of doors as far as up to the courthouse?—A. Yes, sir.

Q. If a man was making a speech on the court-house steps could you hear it in your house?—A. I do not know that; we could hear the noise.

Q. You know Mr. Burnet, who has been a witness here?—A. Yes, sir.

Q. And who stopped at your house for some length of time?—A. Yes, sir.

Q. Do you remember when he left?—A. Yes, sir.

Q. You may state, if you please, if you heard anything from this crowd touching Burnet at that time; about the time he left.—A. The evening he was to come back I heard that.

Q. What evening was that?—A. On Tuesday evening, on the mixed train.

Q. On the day of the election?—A. Yes, sir.

Q. What did you hear?—A. There was a crowd of men going to the train with guns and just hallooing "Burnet."

Q. And you saw the crowd and heard them hallooing?—A. Yes, sir.

Q. What did you do?—A. I didn't do anything.

Q. Was there a dispatch sent to Burnet?—A. My brother sent a letter on the evening train, and my sister sent a dispatch later in the evening.

Q. Advising him not to come back?—A. Yes, sir.

Q. He did not return on that Tuesday night?—A. No, sir; he did not return until Thursday morning.

Q. Did you ever know of your father having any difficulty with his neighbors, either Democrats or Republicans?—A. No, sir.

Q. Did you ever know of his being quarrelsome at all with any of them, or have altercations, or anything of that kind?—A. No, sir; he was very quiet.

Q. What was his disposition?—A. He was very quiet and had one of the best dispositions I ever knew.

Q. He was a lame man?—A. Yes, sir.

Q. A small or large sized man?—A. About the size of my oldest brother.

Q. Did you see a committee bringing those resolutions notifying him to leave—or the Long resolutions?—A. Yes, sir; just one man brought them. We had just gotten out of the hack.

Q. Did you hear what he said?—A. No; Meredith went to the fence, to the gate, to him. I was sitting on the porch.

By the CHAIRMAN:

Q. What was your father's full name?—A. John Prentice Matthews.

S. S. MATTHEWS sworn and examined.

By Mr. FRYE:

Question. What is your full name?—Answer. Simon Suggs Matthews.

Q. How old are you?—A. Eighteen.

Q. In college now, at Oxford, with your brother?—A. Yes, sir.

Q. You were not at home, were you, prior to the election?—A. No, sir.

Q. How long had you been absent before that time?—A. Since the first of October.

Q. What day did you go home?—A. I went home Tuesday and got there at 12 o'clock.

Q. Did you receive notice of the death of your father, and go home on that account?—A. Yes, sir; I received a dispatch.

Q. What did you see after you returned home; did you see any o

these men?—A. When I got off the train there was a crowd of 75 or 100 there with guns.

Q. What were they doing?—A. They were just standing there hallooing. As I passed by, one of them spoke to me—a boy; he had a gun on his shoulder; and I saw the town marshal, a young man named McMaster, and he spoke to me as I passed.

Q. Did you see any demonstrations on their part that day beyond that; you went right home to the house?—A. Yes, sir.

Q. Did you see anything of them again that day?—A. At night.

Q. Did you hear any firing that day?—A. It was night when I got home.

Q. What did you see of them on Wednesday?—A. I saw them on the street with their guns.

Q. Did you hear them fire a cannon?—A. No, sir.

Q. Did you hear any music that day?—A. No, sir.

Q. It was on Thursday, was it, that your father was buried?—A. Yes, sir.

Q. Were you there when the Long resolutions were brought?—A. Yes, sir.

Q. And you saw them delivered on the return from the funeral?—A. Yes, sir.

Q. And your mother had not got there?—A. No, sir.

Q. As I understand, you and the whole of the family have left there?—A. Yes, sir.

Q. That is, your father's immediate family?—A. Yes, sir.

Q. And are now living at Oxford?—A. Yes, sir.

Q. Is it the intention to move back to Hazlehurst?—A. No, sir; I think not.

Q. Is it believed by the family to be safe to go back there to live?—A. No, sir.

Q. What have you to say about your father's disposition?—A. I know nothing more than what has been said.

Q. You agree with the others?—A. Yes, sir.

Q. Did you ever know him to have any quarrels or troubles?—A. No, sir.

Q. Was he considerable of a political leader?—A. Yes, sir; he was said to be by some.

Q. Did you hear him make any speeches in that campaign?—A. Yes, sir; I heard him make one.

Q. Where was that?—A. It was in the court-house at Hazlehurst.

Q. Was the time divided there?—A. Yes, sir.

Q. Who was speaking with him?—A. Bob Miller.

Q. Did he say anything calculated to stir up the colored men against the whites?—A. No, sir.

Q. Or stir up any ill feeling?—A. No, sir; nothing at all.

Q. Did you ever hear him say anything?—A. No, sir.

The subcommittee then adjourned until Monday morning, February 18, 1884.

NEW ORLEANS, *Monday, February* 18, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury and Jones. The examination of witnesses was resumed as follows:

DAVID BELL (colored) sworn and examined.

By Mr. FRYE:

Quesion. What part of Copiah County do you live in?—Answer. I live about six or seven miles north of Hazlehurst.

Q. What voting precinct?—A. Gallman.

Q. Were you inspector at the polls at that precinct?—A. Yes, sir.

Q. Republican inspector? A.—Republican inspector.

Q. Were you also chairman of the Republican county committee?—A. Yes, sir.

Q. Can you read and write?—A. Yes, sir.

Q. Are you the owner of property?—A. I own some live stock.

Q. How long have you lived in Copiah County?—A. About fifteen or sixteen years.

Q. Were you formerly a slave?—A. Yes, sir.

Q. State to the committee what happened to you the Monday night before the last election?—A. About 2 or 3 o'clock in the night there were some men came.

Q. How many men?—A. I don't know, sir.

Q. As near as you can tell?—A. I reckon fifteen or twenty.

Q. White men, or black?—A. White men. Well, I was asleep when they hailed at the door; my wife was up with a light and they came to the gallery and hailed, and she run to the bed and waked me up; then they rushed in and taken me out.

Q. Did they push the door in?—A. Yes, sir.

Q. And took you out?—A. Yes, sir.

Q. What did they do?—A. They had a talk with me, and turned me loose and told me to go, and I started off, and as I started off some of them give me a lick on the shoulder, a very severe one which sent me down on my hands, but I got up and made out, and they struck at me again but didn't hit me the next time. Then I went to the house, and through the house, and out in my night clothes, and made my way off. That was about the end of it.

Q. Were those men armed?—A. Yes, sir; they had guns.

Q. Were they masked?—A. No, sir; they weren't masked.

Q. Did you know any of them?—A. I might have known some of them, but I never kept recollection. I might have seen some of them before.

Q. I am not asking you who they were if you did know them; I am simply asking you did you know any of them?—A. I suppose I might have knowed some of them.

Q. Did you not know some of them?—A. I had seen some of them before.

Q. Were they Democrats?—A. I don't know as to that.

Q. Were not those that you did see and did know, Democrats?—A. Now the last election, it was a little kind of mixed, you know—Independents, Independent Republicans, and Independent Democrats, and kind of mixed.

Q. Give me the names of those you did know, and I can tell whether they were Democrats or not.—A. I don't recollect their names very distinctly.

Q. Do you decline to give their names, Mr. Bell?—A. Yes, sir.

Q. What is the reason you will not give us the names of the men who came there and drove you out of the house?—A. I don't deem it expedient to do so.

Q. Did you return to your house that night?—A. No, sir.

Q. Where did you sleep?—A. I didn't sleep no more that night.

Q. The next day was Tuesday, was it?—A. Yes, sir.

Q. Election day?—A. Election day.

Q. What did those men tell you about election day, if anything—about voting or anything else?—A. I decline to tell.

Q. Why do you decline to tell? Did they threaten you?—A. Some of them talked back pretty rash to me, as a matter of course.

Q. Did they say anything to you about voting the Republican ticket?—A. I suppose they was a lot of drinking fellows, and I didn't pay much attention to what they said to me.

Q. Did you have tickets with you?—A. Yes, sir.

Q. Did they take them away from you?—A. Yes, sir.

Q. What did they do with them?—A. They destroyed them.

Q. You had the tickets for the purpose of distributing them, had you?—A. Yes, sir.

Q. What tickets were they that you had—Republican tickets?—A. Well, except for the district attorney, R. N. Miller.

Q. You had R. N. Miller on your tickets, and all the rest of the candidates were Republicans, were they?—A. Yes, sir.

Q. After the election, did a mob of men visit your house again?—A. I will have to tell you about hearsays, I reckon.

Q. Why about hearsay? Were you not attacked?—A. I was pretty close there.

Q. You were not in your house?—A. No, sir.

Q. How long was it that you did not sleep in your house after the first night that they came up there?—A. It was a good while.

Q. As nearly as you can tell, how long?—A. Probably a couple of weeks.

Q. Where did you sleep?—A. For a while I slept in the cotton-house back of my kitchen.

Q. Where else did you sleep?—A. I went a few miles from my house to a neighbor of mine that I staid with.

Q. What made you sleep away from home?—A. I had business about.

Q. Was that the reason? What made you sleep out of your house? Were you afraid of being visited again?—A. There was some talk of them visiting me again; I don't really know the fact.

Q. Did they not visit you again after the election? Did they not go to your house?—A. My wife said they did.

Q. Did they go in?—A. She said so.

Q. Is your wife here?—A. No, sir.

Q. Were the colored people up in that section of the country alarmed about that time before the election?—A. There was rumors to that effect.

Q. Did a good many of them sleep away from home?—A. That was the general rumor.

Q. Were there some guns fired around in the neighborhood?—A. Well, yes, sir; I would hear guns occasionally myself.

Q. Do you know what they struck you with on the shoulder?—A. No, sir; I don't know what it was; I didn't see it; I thought it was a gun; it was some very heavy thing.

By Mr. SAULSBURY:

Q. What position did you hold?—A. Chairman of the Republican executive committee of Copiah County.

Q. Mr. Burnet said that he was chairman of the executive committee.—A. He was mistaken.

Mr. CAMERON. No, he said that he was chairman of the Independent Democratic committee, not the Republican committee.

QYou had two parties?—A. Yes, sir.

Q. You were chairman of the Republican executive committee?—A. Yes, sir.

Q. Was that a distinct organization from the Independent Democratic organization?—A. In part it was. There was a kind of fusion between the Republicans and Independents; they agreed on one ticket, or partly agreed; they weren't exactly harmonious in every respect.

Q. You said that some persons came to your house; drinking persons I understood you to say?—A. Yes, sir.

Q. They came to your house and took you out and talked with you?—A. Yes, sir.

Q. You say one of them struck you?—A. Yes, sir.

Q. That was the only blow that you received?—A. Yes, sir; that was the only one.

Q. Who was it that struck you?—A. I don't know, sir.

Q. You had some tickets which you say they took from you?—A. Yes, sir.

Q. What kind of tickets were they?—A. Independent, Republican, and Democrat mixed.

Q. A kind of fusion ticket?—A. The Independents and Republicans had fused and made up a ticket; and besides that, I had got a ticket printed containing the names of the Republican nominee of the Democratic party.

Q. So you had some tickets of all sorts?—A. Yes, sir.

Q. You voted at the election, did you?—A. Yes, sir.

Q. You were not intimidated and prevented from voting?—A. No, sir.

Q. Did the colored people generally in your neighborhood vote there?—A. Oh, yes, sir; they voted pretty generally.

Q. They were not intimidated and prevented from voting?—A. No, sir; not at my box.

Q. You said you remained out from home some two weeks?—A. Yes, sir.

Q. You staid about at different places; you said you had business around?—A. Yes, sir; I had business about.

Q. Did you write a letter to Mr. Matthews about two weeks before the election, in reference to the canvass?—A. Yes, sir.

Q. Did you not write to him on that occasion that he was carrying on the canvass too vigorously?—A. Yes, sir; that was about the purport of my letter. I had went down on White Oak and around in beat 4 to ascertain how things was—how our party was standing and so forth—and I found that it was standing up pretty well; the speakers was to speak in that beat that week at two or three points. After a thorough examination I had arrived at Crystal Springs on Saturday and wrote to Mr. Mathews that I thought it was useless to have any other speaking there. Mr. Burnet and him had instructed me to make an appointment for him.

Q. I want to know if you did not write to him not to be so violent in their speeches, &c.?—A. I didn't use that term "violent."

Q. What was the impression you aimed to convey in that letter?

The CHAIRMAN. I think that is going too far.

By Mr. CAMERON:

Q. You may state as nearly as you can what you did write.—A. After I went to the neighborhood and saw that our party was doing very well, I declined to make the appointment for Mr. Burnet to speak there, and wrote to Mr. Matthews, and in my letter I told him to inform Mr. Burnet that I didn't think it was necessary; that there was a good many colored people there that said they didn't care to go out to any more speaking, and I thought if they were let alone they would vote as they thought proper. I had been in the habit of canvassing every election and taking an active part in the county, and I knew pretty well the sentiments of the people, and so when I arrived at Crystal Springs, I wrote this letter to Mr. Matthews at Hazlehurst.

By Mr. SAULSBURY:

Q. When were you summoned to appear before this committee?—A. On Thursday.

Q. Have you or have you not ever sought to be summoned before this committee, or to be deputized by the marshal to serve subpœnas on anybody?—A. I don't see why we should go into that.

Q. I want to know if you did not go to Mr. Sexton and ask him to have you summoned to testify, and have you appointed as deputy marshal, in order to subpœna witnesses to appear before this committee for the Democrats?—A. To testify for the Democrats? Oh, no, sir; I didn't tell him that.

Q. What did you say to him?—A. I said to him this: "I expect to go down to New Orleans and get a position to summon witnesses; I don't think our colored people should go down there excited or nothing that way, and suppose that they are going to turn the world over just by testifying before that committee." I wanted to tell the facts and nothing more.

By Mr. CAMERON:

Q. Where were you when you were subpœnaed?—A. At Jackson.

Q. How long had you been at Jackson at that time?—A. I went up there the third day of January; I had been home, though, off and on, but I was in business there.

Q. What was your business at Jackson?—A. Porter, or assistant sergeant-at-arms in the senate.

Q. Is the majority of the Mississippi senate Republican or Democratic?—A. Democratic.

Q. Then you received that place from the Democratic party, did you?—A. I suppose Mr. Miller—I don't suppose he helped me neither.

Q. Who is Mr. Miller?—A. District attorney of our district; he is the man that I was telling you I put his name on the ticket.

Q. Then Mr. Miller induced the other Democrats to give you that place, did he?—A. Yes, sir; I think he did.

SELINA WALLIS (colored) sworn and examined.

By Mr. FRYE:

Question. You live in Copiah County, do you?—Answer. Yes, sir.

Q. You are the widow of Thomas Wallis?—A. Yes, sir.

Q. Thomas Wallis was killed, was he?—A. Yes, sir.

Q. When?—A. Friday morning before the election.

Q. Friday morning before the last election?—A. Yes, sir.

Q. Who killed him?—A. I don't know.

Q. Tell the committee what you saw in regard to the matter.—A. The men came there to my gallery and hailed.

Q. How many men?—A. I don't know, sir, how many there was.

Q. A dozen?—A. I think there was more than a dozen.

Q. Twenty?—A. I reckon; I couldn't tell you how many there was.

Q. Did they come on horseback?—A. Yes, sir.

Q. Did they have guns?—A. Yes, sir.

Q. What time of the day was it?—A. It wasn't in the day; it was in the night.

Q. What time in the night?—A. It must have been between one and two o'clock.

Q. You and your husband were in the house?—A. Yes, sir.

Q. In bed?—A. Yes, sir.

Q. Who else was in the house?—A. None but my baby and my other little son in that end of the house I was in.

Q. What did you first hear?—A. They hailed, and I heard them when they hailed.

Q. What did they do?—A. They called and told him to get up and open the door and kindle a light, and he was trying to kindle a light up and couldn't kindle it up as quick as they wanted, and they told him to make haste; he told them to give him a little time, and they said "damn little time," and they told him to open the door, and I told them the door wasn't fastened, and they shoved it once, and it didn't shove open because a chair was against it, and they shoved it again, and that time it flew wide open and knocked the chair from behind it, and two come in, and, as well as I could see, there was about five or six on the gallery; I couldn't tell you how many there was—me in the house and them out of doors.

Q. What did they do after they got in?—A. They asked Tom who was he, and he told them he was Wallis; they asked him which one of the Wallises, and he told them old man Wallis; they asked him what was his given name, and he told them Tom Wallis; then they told him he was the man that they was after; that they had a writ for him. But when they hailed, my other son asked them who it was, my son that was in the little back room, and he said it was the sheriff from Brookhaven; he said, "Which sheriff?" and he told him "Mr. Cummings from Brookhaven." When Tommy told them he was Tom Wallis, they said he was the man they was after; he said, "All right, you are the very one I am after"; and Tom says, "All right"; and when they said they had a writ, one of them pulled a line out of his pocket and started to put it over his neck.

Q. A rope, you mean?—A. Yes, sir. When he went to put it over, he throwed up his hand and said, "Hold on, gentlemen," and as soon as he said that, one of them shot him. Then they hollered to them that was outside to come in, and they came in from the gallery and pulled him out, and when they got him to the door, his axe was lying at the door, and he catched at the axe and got hold of the handle.

By the CHAIRMAN:

Q. Who did, Thomas?—A. Yes, sir. And another one shot, and he shot sort of up inside of the house and it went through the ceiling of the house, and another one shot and it went up through the gallery and up in the top of the house, and another one shot right through the door and that went through his neck.

By Mr. FRYE:

Q. It went through your arm and through his neck?—Yes, sir.

Q. And then he was dead?—A. Yes, sir; he fell right on my dress-tail behind.

Q. How long did they stay there?—A. They didn't stay a minute after they shot him.

Q. Did they do anything more?—A. They just went and jumped right on their horses and went right off.

Q. Are there many colored people living around in that neighborhood?—A. Yes, sir; right smart.

Q. Did they threaten them?—A. Yes, sir.

Q. What did they do, take to the woods?—A. Yes, sir.

Q. How long did they stay away from their houses at night?—A. Two or three weeks.

Q. Do you know where they went to?—A. To the woods, most of them did.

Q. Where did you stay?—A. Sometimes in the woods and sometimes over to my sister's house.

Q. How long was your arm sore?—A. It ain't quite well yet.

Q. Which arm was it?—A. My left arm. I can't do a thing with my arm now.

Q. How many children have you?

The WITNESS. With me, or all?

Mr. FRYE. All.

A. I think I got nine.

Q. How many at home with you there?—A. I ain't got but two.

Q. What did you do with them when you were sleeping out in the woods?—A. Carried them with me.

Q. What did you do with your wounded arm?—A. I carried it with me.

Q. Did you have anybody to take care of it?—A. No, sir; nobody but my baby.

Q. How many nights did you sleep out of the house?—A. Four weeks.

Q. Do you know whether they visited your house again?—A. They came the night before the election again. They didn't go in the house that time; they came out in the road and shot all over the house, and all around, and went right on up the road.

Q. Firing their guns?—A. Yes, sir.

Q. How many times should you say they fired?—A. I don't know; I couldn't tell you that.

Q. Were they firing around there occasionally?—A. Yes, sir.

Q. Did the firing frighten the negroes?—A. Yes, sir; I reckon it frightened them; they run off in the woods.

Mr. JONAS. It seems to me that Senator Frye supplies the evidence, and the witness agrees to it. I think it would be better not to lead the witness in that way.

Q. Was your husband a Republican?—A. Yes, sir.

Q. Did he take an interest in politics? Did he generally vote?—A. Yes, sir.

Q. Was there a leather strap, or any sort of a strap, left by them at your house?—A. Yes, sir.

Q. What kind of a strap was it?—A. It was made out of a piece that looked like a gin belt.

Q. Did it have a handle to it?—A. Yes, sir.

Q. How long was the handle?—A. About that long [indicating about eighteen inches]; and the belt was about that long.

Q. Did they leave a rope?—A. Yes, sir.

Q. How long a rope was it?—A. About as long as a plow line.

Q. How long after your husband was killed was he buried?—A. He was killed Friday morning before day, and we buried him Saturday, I think.

By Mr. JONAS:

Q. Are you sure about the time your husband was killed?—A. I think they killed him Friday morning.

Q. Are you sure it was Friday morning before the election, or two weeks before the election?—A. No, sir; it wasn't two weeks before the election. I think it was Thursday night or Friday morning. I can't recollect exactly, but I think it was Friday morning, before day.

Q. You do not recollect what month it was in?—A. No, sir; I don't recollect it; but you all know what time the election was.

Q. You think it was Friday before the election?—A. Yes, sir.

Q. That is less than a week before the election; the election was on Tuesday.—A. He was killed just four days before election; you can count it up what you please.

JOSEPH WALLIS (colored) sworn and examined.

By Mr. FRYE:

Question. Are you the son of this woman who has just testified?—Answer. Yes, sir.

Q. How old are you?—A. Thirty-seven years old the 11th of next August.

Q. Are you a Republican?—A. Yes, sir.

Q. Were you at home the night your father was killed?—A. Yes, sir; I were.

Q. State to the committee what you know about it.—A. I was there the night they came there, and when they came they hollered at the gate three or four times, and I couldn't catch the voices and I never said nothing. Me and my wife was lying down, and she shook me and asked me did I hear who that was calling, and she said, "Why don't you answer?" And I said, "I ain't going to answer until I catch the voice;" and this time the dogs barked at them, and they hailed and came right in the yard, and the dogs run under the house, and they said, "Raise a light," and some of us hailed them, I believe it was brother Tim, and asked who was it? And he says, "The sheriff from Brookhaven." He asked his name, and he said "Cummings." I said to my wife, "Yes, that is Sheriff Cummings of Brookhaven." I had had two or three little fights down in Brookhaven, and I thought they was after me, and so I got up and went out of doors, behind the house, in the field. And this time they hollered again, "Raise a light," and the boy said, "Won't you give me a little time?" And they said, "Damn little time." And by this time he had lit the candle, and they said, "Open the door," and ma says, "Push it; it ain't fastened;" and they pushed the door, and I heard it open. I wasn't in that room, I was in another room when they came up on the gallery, and when they pushed the door open I was out behind the house. I heard him say, "Who lives here?" Pa says, "Old man Wallis." He says, "Which one of the Wallises; what is your given name?" Pa says "Tom Wallis." He says, "You are the one we have got a writ for." I wasn't in there, but I heard the fuss in the house, and they says, "Come in,

men, come in;" and pa says, "Come here, boys," and that was the last word I heard him say. About the time he said that I heard five guns fired, just like that [imitating the sound of guns] as fast as they could fire. When I heard that I broke back to see what was the matter, and when I got back they had done killed him, and the last one was going out the gate, and I run up by the side of him at the gate, and I says, "Who is you?" He looked up in my face, and never said nothing, and I stepped out right ahead of him, and there stood six or seven right at the gate; and I run out among them and says, "Who is you?" and they never said nothing, and by this time I looked up the road, and it was plumb full of men and horses, I reckon for thirty yards up the road. I went back in the house, and pa was laying down there dead, and ma was shot through the arm here.

Q. Were those men armed?—A. Oh, yes, sir; they was armed; I saw the guns. I went right out where I could see them.

Q. Did you stay there after that?—A. Yes, sir; I stayed there every night after that.

Q. You stayed in the house?—A. Yes, sir.

Q. Did anybody come there again?—A. Yes, sir; but they didn't come in the house.

Q. What did you hear afterwards?—A. I heard shooting.

Q. Around there?—A. They came one night after that, I believe the night before the election. My mother just quit home finally, and I told her I would stay there; that if they wanted to get me they could get me just as well anywhere else as at home; they was rambling every which way, and I knew they would kill me just as quick one place as another, and it never scared me, only the night I run out on them, and they could have killed me then as well as any time, and afterwards, I wasn't afeared, so I made up my mind to stay home.

Q. Did you vote on election day?—A. Yes, sir; I went right on and voted like I always have.

Q. Did you know any of those men?—A. No, sir; I don't know any of them; I saw them in the dark; it was dark and I couldn't tell who they were.

Q. Could you tell whether they were white men, or black?—A. They were white men, but then I couldn't tell their names, who they were; there was a white man walked out with a double-barreled shotgun right aside of me by the gate.

Q. And you do not know who he was?—A. No, sir; I do not know who he was.

Q. What did they do the night before the election when they were up there?—A. They came along by our house and shot four or five guns off and struck the house.

Q. How many were there that night?—A. I never went out in the road to see how many. The shot struck the house. Me and my wife was lying down, and I never got up until they passed. When they quit shooting and went on up by Uncle Elias Gillmore's house, I heard them up there at his house.

Q. What were they doing up at his house?—A. I heard knocking up there, and he said they broke his door down; I wasn't up there.

Q. Did you hear them firing any after they left your house?—A. Oh, yes; they were shooting up by Mr. Matthews's store.

Q. Which Matthews is that?—A. Ras. Matthews. They shot all through the store, plumb through the store, and through goods-boxes, and through the counter, and the ball fell right at the counter.

By Mr. JONAS:

Q. Did you see all that?—A. I saw where it was done; I went there next morning.

By Mr. FRYE:

Q. Did they have a cannon with them that night?—A. I heard it, I didn't see it; I saw a piece of it next morning that they had busted off.

Q. Do you know how often they fired the cannon that night; how often did you hear it?—A. I heard it about four times that night, down below us and up above.

Q. Was this a country neighborhood?—A. Yes, sir; I heard the cannon fire three times below us, and after they went up towards the store, I heard it fire once, I think.

Q. How far did you live from Hazlehurst?—A. Fifteen miles; I think it is fifteen miles from the store to Hazlehurst.

Q. Are the people who live around there generally colored?—A. Yes, sir; there are more darkies than white folks in that settlement; there is only a few white people there.

Q. What county was that?—A. Copiah.

Q. Where did you vote?—A. I voted at a place called Centennial.

By the CHAIRMAN:

Q. What beat?—A. I disremember now what beat.

By Mr. FRYE:

Q. The name of the precinct is Centennial?—A. Yes, sir.

By Mr. JONAS:

Q. What time was your father killed?—A. He was killed on Friday morning between midnight and day; I don't know what time.

Q. What Friday morning was it?—A. I don't know what Friday morning.

Q. How long before the election was it?—A. I don't know exactly; it frightened me so I don't know how long it was.

Q. Was it more than a week?—A. I don't know whether it was or not.

Q. You stayed at home all the time and you voted?—A. I did, but I was bothered so I didn't hardly have no sense.

Q. You had sense enough to stay there?—A. Yes, sir; I had sense enough to stay there, but I didn't take no notice of how long it was.

Q. Your mother said that the killing occurred the Friday before the election?—A. He was killed before the election, but I don't know exactly what time it was.

Q. Was he not killed more than four days before the election?—A. I wouldn't swear.

Q. Do you not think so?—A. I don't know. If I knowed I would tell you.

Q. Do you know when he was buried?—A. I know when he was buried.

Q. When was that?—A. He was buried the Saturday after he got killed on Friday.

Q. Was he not buried more than three days before the election?—A. I don't know whether he was or not.

Q. Had your father any enemies in that county?—A. He had one.

Q. Had he any outside of politics, I mean?—A. Yes, sir; he didn't have none in politics that I know of.

Q. Had he any otherwise?—A. Yes, sir.

Q. Had he any troubles with any of his neighbors?—A. None with none of his neighbors around there. I think he had a fuss with Frank Thompson about eleven years before he was killed. Frank Thompson was the onus man my father ever had a fuss with.

Q. Has he had any trouble since then?—A. No, sir; with none.

Q. Had he not tried to get some warrants against somebody?—A. No, sir.

Q. Had he not made charges against anybody?—A. No, sir.

Q. Had he any trouble or difficulties with anybody, trying to get them into court?—A. No, sir; none at all; he was a very quiet old man, and didn't bother nobody, white or black, and all the white men around there respected him mightily because he wouldn't give no one a sassy word, good, bad, nor indifferent. He was a mighty easy old man, about forty or fifty years old, and the white men all spoke well of him.

Q. Were those that were in that crowd that night Frank Thompson's neighbors?—A. I don't know; I didn't know them. If I had knowed them I would have told you.

Q. You do not know anything about them?—A. I haven't said Frank Thompson was there; I don't know he was there.

TIM WALLIS (colored) sworn and examined.

By Mr. FRYE:

Question. You are another son of Thomas Wallis who was killed?—Answer. Yes, sir.

Q. Did you live at home at the time your father was killed?—A. Yes, sir.

Q. Were you in the house?—A. Yes, sir; I was in the house.

Q. How old are you?—A. Gwine on 23 years, if I don't make no mistakes.

Q. Tell the committee what happened?—A. The night before he got killed, I think there was about fifteen men there, as near as I could see.

Q. On horseback?—A. Yes, sir; on horseback.

Q. Armed?—A. Armed.

Q. What with?—A. Double-barreled shotguns and pistols. The night he got killed, when they come in the house, before they come in, they hollered "Hello!" I asked them who was that; they said "Cummings from Brookhaven, deputy sheriff," and then they went on to bust the door, and told him to get up and make a light mighty quick; when they said that, I was mad, and I said, "If I was you I would let them make a light for themselves. If they can make a light any quicker than I could, I would let them make it." He said, "Open the door." When he said that I told pa, "If he wants to open it any quicker than you can open it, let him open it himself; let him open it his own self." Ma told them the door wasn't fastened, and then they pushed it open and went on in the house, and went to put the rope around his neck, and he hollered, "Hold on, men, hold on;" and he called Jake, I believe. Brother goes to him when he called Jake, and then ma called me, and I jumped up out of bed in my night clothes and started out on the gallery, and then, like this was the house, and I got on the gallery at the door, and just opened the door, and a man drawed a pistol at me, and I pushed the door to and run back through the door out that way, and before I could get back out that door through the house and around the gallery they had done shot him and gone out on the big road.

Q. How many shots were fired?—A. Five, I believe, if I don't make no mistake—five or six.

Q. Did they shoot your mother?—A. Yes, sir; right there on the arm.

Q. Where was your father hit?—A. Right through there [pointing to his neck].

Q. Did he have more than one shot?—A. It looked like more than one.

Q. Was he shot anywhere else except in the neck?—A. Yes, sir; he was shot in the back.

Q. Did you stay at home after that?—A. I stayed at home one or two nights.

Q. Then where did you go?—A. I stayed in the woods.

Q. How long did you stay in the woods?—A. I believe it was a month, first one place and then another; I was scared to stay at home.

Q. Did you see any mounted and armed men around through that section afterwards?—A. Yes, sir.

Q. When?—A. I seen them the Friday before the election, I believe, or Saturday, down to Centennial, to the speaking; I don't know how many there was; the road was full.

Q. Armed men?—A. Yes, sir; every one of them had guns.

Q. On horseback?—A. Yes, sir.

Q. Did they do any shooting?—A. Yes, sir; they did do shooting when they came on back.

Q. Did you hear anything of a cannon around there?—A. I heard a cannon; I never saw it.

Q. How many times did you hear it?—A. I couldn't tell you how many times I heard it.

Q. Did you vote at that election?—A. Yes, sir.

Q. Where did you vote?—A. I voted at Centennial.

Q. Did you and your brother go together?—A. Yes, sir.

Q. Were there any guns up around Centennial that day?—A. I didn't see any.

By Mr. JONAS:

Q. What day was your father killed?—A. I think he was killed on a Thursday night, between 1 and 2 o'clock.

Q. How long before the election?

The WITNESS. How long before the election?

Mr. JONAS. Yes.

A. I believe it was a week before the election, if I don't make no mistake.

Q. Was it not longer than that?—A. No, sir; it wasn't no longer than that, if it was that long.

Q. How long did you sleep out in the woods before you went back?—A. I don't know; I was skeered; I didn't keep the time when I went back.

Q. Do you not know how many days you had been out?—A. No, sir.

Q. Your mother said your father was killed the Friday before the election.—A. I don't know how long it was before.

Q. You say you had been out in the woods, and on Friday before the election you saw these armed men going to the meeting at Centennial?—A. I said it was either Friday or Saturday.

Q. That was not the day your father was killed?—A. No, sir.

Q. That was after he was killed, was it not?—A. Yes, sir.

Q. How many days?—A. I don't know; two or three.

Q. Was it a week?—A. I don't know how many days; I didn't keep any remembrance of the days.

Q. That was Friday or Saturday before the election?—A. Yes, sir; it was one of them days.

Q. You were out in the woods?—A. I was not out in the woods when they went down there that day; I was in the house.

Q. But I mean you were sleeping in the woods?—A. Yes, sir.

Q. That was Friday or Saturday before the election, and that was not the day your father was killed, was it?—A. No, sir.

Q. Several days afterwards?—A. Yes, sir; that was afterwards.

Mr. FRYE. As a matter of fact, it was the second Friday preceding the Tuesday of the election; she made a mistake; it was two weeks, lacking two or three days.

HANDY FORTNER (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live anywhere now.

Q. Where did you live at the last election time?—A. I lived in Copiah County.

Q. What part of Copiah County?—A. At Bayou Pierre, on a place called Wheeler place, owned by Ras. Matthews.

Q. How long have you in lived Copiah County?—A. Three years.

Q. Were you in Copiah County the fortnight preceding the election?—A. Yes, sir; I was there the time of the election.

Q. Were you in the county during the two weeks before the election?—A. I was in there three years.

Q. You may state what happened to you shortly before the election, if anything.—A. I was the first one that the bulldozers got on, the very first one. I reckon they used me worse than any one, but they didn't kill me.

Q. Tell this committee just what took place.—A. They came in on me Thursday night, I think between 10 and 11 o'clock, if I mistake not. I heard them say it was Friday night, but I think it was Thursday night that they started out. They hailed at the door, and when I heard them I slipped out in the gallery, and when I got to the gallery they knocked at the door, and my granddaughter called out and asked who it was, and they said it was Wes. Dunbar. They were after a fellow for stealing a man's mule in Claiborne County. I made myself safe when I heard that, for I knowed I hadn't done nothing, and so I stood my ground. He opened the back door, and passed through and opened another door, and I was in the gallery, and they walked up to me and told me I was the man they were hunting for. They asked me how many wives I had, and I told them one, and hardly that. They said "You are the man who stole the horse in Claiborne County," and they wanted me to stand trial. I told them no I didn't. They said "We will show you," and they made me cross hands, and tied me. When they got me out of the gate they made me go their way, and that was in the woods like, and they took me down three or four hundred yards from the house, and I told them if they were going to kill me that was as good a place as any, for I wanted to be where my family could find me. Then they stripped me, and made me lay down, and Rob. West was on my feet, and Henry Pollard was on my head—Henry Pollard married my granddaughter—and Mr. Thompson was on one side, and Marion McCree on the other, and they had the ropes doubled four double, and whipped me until I had no feeling. They wouldn't allow me to holler; they had a gun pointed at me to keep me from hollering, and they whipped me until I had no feeling at all, and when they got

through Joel East took a strap and worked on me with it. Joel East is Thompson's son-in-law.

Q. What did he do with the strap?—A. Whipped me with it.

Q. How long did he whip you?—A. I reckon he struck me about thirty-five or forty; they whipped me until I had no feelings. I was whipped until I was nothing but just a bruise of blood.

Q. What did they say to you during this process?—A. They asked me what I was going to vote.

Q. What did you tell them?—A. I told them I was going to vote the Democratic ticket. They told me God damn me not to vote the Republican ticket, if I did they would blow my brains out, and if I was seen within a hundred miles of there next morning, they would blow my brains out. That is what they told me.

Q. How many men were there?—A. About twenty, as nearly as I can recollect.

Q. Did they come on horseback?—A. Yes, sir.

Q. Did they have guns?—A. Yes, sir; guns and pistols.

Q. Did they do any shooting with them?—A. No, sir; not a bit.

Q. Were they masked? Did they have their faces covered up?—A. Yes, sir; they didn't have false faces, they were smutty. But I knowed some of them by their talk. I knowed Frank Thompson; I had been with him two years. He was the only man that accused me of having two wives. When I sued him for settlement, he accused me of having two wives and tried to have me arrested, and I knowed him by that. I knowed no man in Claiborne County would have accused me of having two wives but him. They proclaimed that they were men from Claiborne County, and that I had stole a mule from that county.

Q. Did you vote on election day?—A. Yes, sir.

Q. At what precinct?—A. Centennial. I was the first one that brought the tickets. I didn't expect to live one hour, but I did.

Q. Where did you go after you voted?—A. In the woods.

Q. How long did you stay in the woods?—A. About two or three months.

Q. How long should you think it was before the election when they whipped you, ten days?—A. They whipped me on Thursday, and the election was Tuesday, I think.

Q. The next Tuesday, or Tuesday a week?—A. It might have been a week; it was either one of those two things.

Q. As soon as you were whipped, did you go home?—A. No, sir.

Q. Where did you go?—A. I laid in the woods.

Q. Did many colored people live in the woods?—A. Yes, sir; lots of them; my folks all left home, but my cattle would stay there, and I would stay around in the day to watch my cattle, but at night I was gone. Really, I was skeered, and I would lay around in the woods where I could see the house in the day time. If I could find an old house or a little old cabin I would sleep in there, and never stayed in my house unless it was raining so that I knowed that the water was up in Bayou Pierre so that they could not cross, and then I would stay in my house.

Q. Did you see or hear anything of mounted men through that neighborhood?—A. No, sir; I didn't give them a chance; I didn't want to see them, and I didn't allow them to see me. I was the same as the rabbit in his hollow.

Q. Did you afterwards go before the Republican Independent executive committee?—A. Yes, sir; just as soon as I ever got a chance I

slipped to Beauregard, and taken the train down, and went before them, and showed them what had been done to me.

Q. Showed your back?—A. Yes, sir; stripped my breeches down, and showed them the bruises to the grand jury, and let them look.

Q. Was it not after the election that you went before the grand jury?—A. Yes, sir.

Q. Did you not go before Mr. Burnet, of the Republican committee, before the election?—A. No, sir; it was all done after the election. The same day I went before the committee I went before the grand jury.

Q. Mr. Burnet was not there in town after the election, was he?—A. I saw him the day they buried Mr. Matthews, but he told me not to go go to the court-house; if I did I would get a pop in my back.

Q. You saw him about the time Wallis was killed?—A. Yes, sir.

Q. Did you tell him where you had got hurt after Wallis was killed?—A. Yes, sir.

Q. That was before the election.—A. Yes, sir; that was a few days before the election.

Q. Did you exhibit your scars to the grand jury?—A. Yes, sir.

Q. Have you ever, since then, been called before them?—A. No, sir.

Q. Did not Burnet go up with you to the door of the grand jury-room and show you in?—A. Yes, sir; he attended to it.

By the CHAIRMAN:

Q. What white men were there who took part in beating you; did you know?—A. Joel East, Frank Thompson, Ike East, and Marion McCree.

Q. Are any of those men here?—A. I don't know whether they are or not.

Q. You spoke of two men who took hold of you, and said that one sat on your head and one on your feet.—A. They are here.

Q. Are they colored men?—A. Yes, sir.

Q. Do you know how they happened to do that?—A. The white men made them do it, and they whipped them good and made them sit close down on me; they didn't want to do it; I tried to be still, but they whipped me so bad that I had to waggle.

Q. What are their names?—A. Robert West and Henry Pollard.

Q. Was one of them your son-in-law?—A. Henry Pollard married my granddaughter.

Q. Did they find them at your house?—A. One of them lived with me and one of them was there by some means.

Q. You say they whipped them and compelled them to do it; did you see them whip them?—A. Yes, sir; I saw them whip them.

By Mr. SAULSBURY:

Q. Who whipped you?—A. Joel East and Frank Thompson and Marion McCree whipped me.

Q. Who is Joel East? Is he the son-in-law of Frank Thompson?—A. Yes, sir.

Q. Did you say you sued Frank Thompson some time before that?—A Yes, sir; I reckon that is the reason I got that terrible beating—trying to scare me off from my trials. We had two trials and I beat him, and I think he was trying to scare me off from my trial.

Q. You think the reason you were whipped was because of the suit?—A. Yes, sir; I believe it, because I haven't done nothing; I only sued him for my rights. I haven't done nothing to nobody.

Q. Joel East, one of the parties who whipped you, was the son-in-law of Thompson?—A. Yes, sir.

Q. Was McCree a neighbor of Thompson's?—A. He wasn't a very close neighbor, but old acquaintance, I think.

By Mr. CAMERON:

Q. What did those men or any of them say about the election at the time they were whipping you?—A. They asked me how I was going to vote, and they were hurting me so, I told them I was going to vote the Democratic ticket. They told me if I would vote the Republican ticket, they would blow my brains out; and they told me if I was caught within a hundred miles of there the next morning they would blow my brains out.

Q. Where have you been since that time?—A. I have been just knocking around. I got out of that place as soon as I could. Mr. Matthews sent hands from his place to mind my crop. I minded the cattle the best I could until he got hands, and then I went over to Lincoln County.

By Mr. SAULSBURY:

Q. Who were witnesses for you in the trial?—A. My son and son-in-law and daughter, and his witnesses were my witnesses; we all plead the same.

Q. Was Wallis one of your witnesses?—A. No, sir.

The CHAIRMAN. He means by that that the testimony of the other man's witnesses was favorable to him.

By Mr. JONAS:

Q. Who was your lawyer?—A. That man [pointing to Mr. Burnet].

HENRY POLLARD (colored) sworn and examined.

By the CHAIRMAN:

Question. Can you read and write?—Answer. Yes, sir.

Q. Were you at the house of the last witness, Fortner, when he was whipped?—A. Yes, sir.

Q. State what happened. How long was it before the election?—A. About a week.

Q. State what time of night it was and what was done?—A. It was a little after 10 o'clock in the night.

Q. Now tell the story.—A. They came there, and I was fixing to go to bed, and I heard somebody run around the house, and I jumped and went in the house, and never heard them until they said hello; they said hello twice, and then my wife opened the door, and when the door hung to again they pushed it open with their hands, and one went on each side of the door and peeped in to see who was in there; and one came in with a rope—had the rope in his breast, this way—and a pistol in his right hand; and I was standing between the two beds, and they asked me who was me, and I told him my name was Henry Pollard; and they asked me who was that laying on the bed, and I told them Bob Baily; they asked me who was setting by the fire-place, and I told him Bob West; then they asked me who lived here, and I told them Henry Fortner; then they asked me who is Henry Fortner, and I told them he was around in his room; they went around there in the room and met him and asked him who was that, and he told him Andy Fortner; and then he said where is that mule he stole in Claiborne County, and he told him he don't know; the sheriff of Claiborne County was up there and his trial was up there; he told him he hadn't done nothing;

they told him yes he had, and one man got between him and the door, and that man told him, God damn him, to come on, and not say a damned word, and he couldn't do nothing; we told him not to say nothing, if he did they would kill him; then they came on through with him, and them mens out there—one of the mens out there—told him "Better get them boys." Frank Thompson said, "Walk on out, boys," and we had to go on out. Then they got us down there, and told us to get around there; that is what they brought us there for—to hold him down and pull his pants off; and we pulled his pants off, and they told him to get down, and before he could get down good, Frank Thompson was whipping him; and he made me get at his head first, but I couldn't hold him tight enough, and then they made me go from his head to his feet and let Rob go to his head; and then they hit me and Rob a lick apiece, and kept whipping him, and we couldn't hold him still enough and they hit us again, and every time he would wiggle they would hit us; then one patted me on the shoulder and told me I voted with the God-damn Matthews.

Q. Did you vote with Matthews?—A. Yes, sir; but I told them no, sir, I didn't. Then he allowed we would vote any way to get away; I told him no, sir; that I would vote the Democratic ticket. Then he asked us what is Democrat, and we told him they were straightout Democrats. Then they got done whipping Andy and told us to give him a rubbing, and told us they wouldn't bother us if we would leave, and if we didn't leave they would come back the next night and hang us. I told them then I would go that night; and he said if I didn't he would blow my God damn brains out. I said then I would go soon in the morning when I got up, and then he told us to march on ahead of them; and one man who was over there he wanted to shoot us, and we begged and told him we were going, and when they come back there we wouldn't be there; we told them we were going off, and they told us to go on ahead of them, and we got on ahead of them, and one of them was pleading and wanting to shoot us, and they said, "No, don't shoot, they will leave;" and then they told us to break and run, and we run and left Andy down there.

Q. How many times do you think they struck him; could you tell?—A. No, sir; I don't know how many licks they struck him, but I know how many licks they struck him with that strap.

Q. How many?—A. Five licks with the strap. Frank Thompson had the rope doubled around his wrist and told them that was not the thing to whip him with, but that that was the thing to whip him with, and then he quit.

Q. How many times do you think they struck him with the rope?—A. I don't know, sir, how many times.

Q. Was it a great many or a few?—A. There was a good many of them.

Q. Did you know any of these men?—A. I knowed all.

Q. Who were they?—A. Frank Thompson, and Marion McCree; he was the first one that came in.

Q. Did you see any other men riding about that country with guns?—A. No, sir; I wasn't there.

Q. At any other time?—A. No, sir.

Q. That is the only thing of the kind you saw?—A. Yes, sir.

Q. How many men were in this crowd altogether?—A. I don't know how many there was; I was too scared to count.

Q. Were there as many as twenty?—A. Yes, sir; there was a good many of them.

By Mr. JONAS:

Q. Did you vote at the election?—A. Yes, sir.
Q. Where did you vote?—A. Centennial.
Q. Voted the Republican ticket?—A. Yes, sir.
Q. Were you a witness in the lawsuit of Andy Fortner against Frank Thompson?—A. No, sir; I wasn't a witness.
Q. You did not know anything about that?—A. No, sir.

By the CHAIRMAN:

Q. How old are you?—A. Twenty-one.
The CHAIRMAN. That lawsuit was eleven years ago.
Mr. JONAS. No, I understand this lawsuit is still pending.

ROBERT WEST (colored) sworn and examined.

By the CHAIRMAN:

Question. Were you at Fortner's house the night these witnesses have been telling about?—Answer. Yes, sir.
Q. Did you marry his granddaughter?—A. No, sir.
Q. Are you related to him in any way?—A. No, sir; I wasn't any relation; I just went there on a visit.
Q. State what happened.—A. I went there that night; I was sick; I had been having chills for a week, and I thought I would go over to Dr. Ford's, and walk that far that night, and ride over there the next morning. It was late in the evening; I got there and took a chair and set down, and they all went to bed but me and old man Andy's granddaughter, and there was a light fixed to go to bed, and the dog began to charge and rare, and directly somebody stepped up on the gallery and hollered "hello!" twice. I wouldn't say nothing, because I didn't live there. I asked Henry's wife why she didn't hail them, and then she says, "Who is that?" and then he said, "Wes. Dunbar"; and then she stepped to the door and pulled it back and walked back of it until she got it open, and then there was seven or eight men came into the house—there was twelve altogether, but seven of them came into the house—and about five I think out doors on the gallery. I was setting by the fire. They went back where the old man's wife was laying on the bed, and turned the cover off of her and looked at her, and asked Henry who was that laying on the bed, and he told them it was Bob Baily; and they asked him who was that setting by the fire, and he said Bob West; and they asked him who was keeper of the house, and he said, "Andy Fortner"; then they said "Who is keeper of this house?" and he said "Andy Fortner." They said, "That is the fellow I am after; we have got a summons for you for stealing horses"; he said "No, I haven't done it." They said, "By God, we know what you have been doing; cross your hands." Andy, I don't think, wanted to cross his hands, and they said, "Come here, boys," and several of them came and tied him. As they were going to start they said, "Hadn't we better get those other two boys, too?" and they said, "Yes," and then they come back and got me and this other one. I said, "We haven't done nothing." They said, "Oh, well, we know you ain't done nothing." I said, "Well, what do you want?" They said, "I will tell you what I want with you when we get you down there." We got along a little piece further, I don't know how far, and I asked again, and they said, "Oh, by God, I tell you I ain't going to tell you; don't ask so many God damn questions." I said, "All right." When we got down as far as they went there was five more men; and when we got down there

two stood in the crowd where we were, and the balance was all around. They said, "Now, boys, get ready," and two of them grabbed Andy. They said, "Boys, we want you to pull off his breeches and hold him as tight as ever a nigger was held." I said, "All right, all right"; and in trying to slip his galluses there was something the matter so they wouldn't come off and I didn't want to break them, and I had nothing to cut them loose from him. He wasn't noticing particularly, and then he noticed me, and he said, "This other God damn nigger is trying to turn him loose." I said, "No, I am only trying to get it off without tearing it." They said, "Damn his gallus; tear it loose;" and we got them off, I don't know how, and then they told us to get on him, and I got on his feet and Henry on his head, and they commenced hitting him, and I suppose they hurt him pretty bad at the start, because he was hard to hold, and they asked Henry couldn't he hold him, and he said "No." Then they said, "You come down and hold his head—you are a damn sight better man than this other—and let him hold his feet." So I came around and held his head, and they whipped him. They all whipped him but about three, and they whipped him till he quit hollering and they thought he was pretty near dead, and then they said "Let him rest." The main one says "You all got to make us a promise now to save your God damned brains from being shot out." And I was anxious to hear what it was, and I said "All right, sir." He said "That is, you got to agree to leave Copiah County." I told him "All right." The other said "No, by God, the best thing we can do is to shoot the three of them and then there will be no evidence against us at all." This fellow says, "No, they have promised to leave Copiah County, and I believe they will do it. Now, boys, will you do it? I will give you this chance to save your God damned brains." I said "Yes." Andy told him he would go back to Simpson County to his old master, and they said, "Then God damn it, be sure and stay, and never come back here no more." They thought they had whipped him nearly to death, but he was fixing up his pants pretty lively and they said, "He ain't half hurt," and to whip him some more, but he begged and they said, "If we dont take you down no more, will you be sure to leave Copiah?" He said, "Yes." These other fellows told us to get out of the way or they would shoot us anyhow, and then we started to run, and I outrun them all and left Henry and the old man behind, and I came back to meet Henry, to see what had become of the old man Andy, and he told me to go ahead, and I pitched out again, and never seed him no more until he came to the house.

Q. Did you know any of those men?—A. I knowed two; I knowed Mr. Thompson, and the one they called Enochs; I knowed them two.

Q. Where did they live?—A. Enochs lived at Mr. Thompson's a while, but he had quit; he hadn't been long quit, though. They said we was Matthews's boys, by God, and we damned niggers generally vote the way that Matthews vote. We denied it. I told them we are no Matthews boys. "Oh, God damn you, we know all about it; Matthews has got all of you to vote their way." I said "No, sir; I never has voted in this country before, but I intend to vote the Democratic ticket if I vote." They said "Oh, yes, you will vote now to get away." I told them "No, sir."

Q. You had become a Democrat from conviction within ten minutes?—A. All right about that. I had never voted but once before, and I said that to satisfy them and get away.

Q. What were those men armed with?—A. They had different kinds

of guns; some had double-barreled breech-loaders, and some had some other kind of guns, I don't understand what sort they were.

Q. Did they fire their guns in the house or about the house when they were there?—A. They didn't fire their guns at all.

Q. Some had breech-loaders?—A. Yes, sir; and pistols.

Q. Were they shotguns or rifles?—A. Some of them were shotguns, and I don't know what the others were; and some of them had pistols.

Q. Do you know any Army gun or State gun?—A. Yes, sir; I have seen them.

Q. Were any of those men armed with State guns?—A. They looked to me like they was mighty new.

Q. They looked like State guns or Army guns to you?—A. Yes, sir.

By Mr. SAULSBURY:

Q. What time was this whipping?—A. It was a week before the election came off; I know. I was down there the next week, and the next week I think the election came off.

Q. Did you vote at the election?—A. No, sir; they were doing so bad I wouldn't vote. They said they were not going to allow any Independent tickets to be voted, and I wouldn't go at all.

Q. You did not go to the election?—A. No, sir.

By Mr. CAMERON:

Q. Who said they were not going to allow any Independent tickets to be voted?—A. That is what the company said; that is what the black folks all around said; I heard it all over about in the country. And then they acted like they were not going to allow none to be voted by the way they were going on.

ISHAM GILMORE (colored), sworn and examined:

By Mr. FRYE:

Question. How old are you?—Answer. I am 67 or 8 or 9; somewhere along there.

Q. Where do you live?—A. I live up here in beat 3.

Q. Copiah County?—A. Yes. sir.

Q. What was your voting place?—A. I voted at Centennial.

Q. Were you around home before the last election?—A. Yes, sir; I was at home.

Q. Tell the committee what took place as to you.—A. I can very easy do that. On a Friday night before election—Tuesday was election day—and on Friday night they were going to have a speaking at Centennial; they said they wanted the black ones to meet them there. I said I wouldn't go on this occasion; some said they wanted the colored people all to go and hear for theirselves, and take their guns; everything was armed. They went along a little before dusk; I was cutting wood for the fire, in front of my house; they never said nothing to me; they were whooping and hollering and gwine on very jolly.

Q. How many of them were there?—A. A drove of them.

Q. Horseback?—A. Yes, sir.

Q. Did they have guns?—A. O, yes, sir; every one had guns laying on his shoulders. I never paid no attention to them. When they came back I heard them shooting at old man Wallis's house—heavy—double quick all the time, like as quick as they could pull triggers. I didn't pay no attention; I didn't have any idea they were going to bother me, and they didn't bother me then; I knowed I hadn't done nothing. Then all was quiet for a while, and some of them rode up to the gate

and hollered "Who lives here?" and hollered so vagarous I never said nothing, and told my woman not to say nothing to them. The dog was raring at the gate heavy, and some of them that was in the road came on in three parties. The first party came on and were going right on towards Mr. Matthews' store. The middle crowd came on and stopped for something, and the last crowd rode up and says "Shoot that God damn dog," and Ras. Wheeler says "No, don't shoot him, let him alone," and some of them out in the road hollered "Watch that back door"—I had went to the back door, but before I could get out they run in and the house was full of men all around us, running on their horses, and that stopped me in the house; I couldn't get out; the door was fastened. So I stood right straight there. I had fastened on a good latch on the door, like that one yonder with the bolt in, and had a piece of wood as wide as your two fingers to run in it, and before the wood would break the iron broke; the iron flew back as far as to that door, right towards me. I says, jest so, "O, you devils, you are as anxious to get to another one who will break iron." When the door flew open I was standing up there; they couldn't see me, I was back; I had my cotton in the back room there, and he came to the room door and looked in, but he didn't see me; it was dark in there. The women was all squalling; they looked like they were going to have a fit. I said to the women, "Hush your howling, just hush; what are you going on so for?" Then he comes back to see me and talk with me. I reckon he wanted to see whether I had any weapons or anything. There was a stick down by the side of me that I had weighed cotton with. I sat down by the stick and he took a light and come back and put his light up, about as nigh to me as that wall there, and he says, "What have you got down there by the side of you?" I said, "Nothing but a stick I weigh cotton with." He says, "Old man, that is damn bad business." I said, "No, sir." Then he says, "Hello, Isham, come out and set down and let us talk about politics." I wouldn't go out. The reason I wouldn't go out, I thought of old man Wallis, and thought if I got out there, while I was talking with him some of them might come up and throw a rope over my head, and so I told them, "No, I didn't want to talk about politics; I had no politics to talk about." He says, "Well, by God, what is you gwine to vote?" I said, "I don't know what I'm gwine to vote," jest so. He answered me back, and says, "By God, if you are going to vote the Radical ticket, by God you needn't come on the ground, but if you are going to vote the Democratic ticket you can come; by God, we are going to kill out the whole God damn seed and generation of Radicalism." I never said nothing. I always voted the Radical ticket ever since they gave me that vote. The day I went there, Mr. Matthews there gave me the ticket, and I simply thought to myself, now I have got the ticket in my hand, and rather than to take the ticket and go back home, I am going to vote the ticket. If they don't kill me here to-day, they won't see me till the thing will be done, says I to myself. And I took and voted the Radical ticket and went on home. I haven't been home from the night that they jumped me. When they went out the gate that night I went out the back door, and I never went back, but strayed out and only went in the day, and lay around in the fields. The cattle was in the corn and cotton and I would run them out, and I just kept out of their way and slept to myself in the woods, and took my family and carried them about a mile and a half from home in a dark corner where they couldn't get in without coming through men's fields. They staid about two weeks and I staid about three weeks. I staid out there until everything got quiet. And then Mr. Matthews got

killed and everything got quieted down, and I never heard no more, and I sort of got reconciled and went to gathering my cotton, and they never bothered me no more. They told me if I voted that ticket, God damn it, we all hadn't seen nothing to what they were going to do if we voted the Radical ticket, they were going to blow our God damn brains out. I kept out of the way; I didn't know what they might do.

Q. How many men were in this crowd?—A. I will make a little small estimate of it. I reckon here was about twenty or thirty men; now I am positive on that.

Q. All on horseback?—A. All on horseback.

Q. All white men?—A. I can't say they were all white men, but in the evening they were all white men. I don't know how it was after night.

Q. The first time you saw them they were all white men?—A. Yes, sir.

Q. The last time you saw them was in the night?—A. I don't suppose it was hardly light.

Q. No; I mean the last time, when they broke into your house?—A. That was early; that was the same time; they just went down to Centennial; they never spoke that night; I know they never spoke, for they wasn't gone long enough; they came back too quick. I might have been out of the house when they came back if I had had any idea they were going to bother me. I would have put right out that night and never went back no more.

Q. Any other colored men in that neighborhood live in the woods?—A. Pretty well the whole settlement; it is a mighty big settlement of colored people in there, and pretty much all of them went into the woods—sometimes both men and women.

Q. Did any of the white men lie out too?—A. Some of the white men laid out; Joe Bondurant laid out, I know.

Q. Were those white men who lay out Republicans?—A. Yes, sir; and there were some laid out down on Falls Creek; they were all Republicans. The Republican men jest had to drop like possum with a dog after him, jest to git out of the way if he can, and they did get out the way; they just hung their heads and be as quiet as they could; now you have the truth of it; they had nothing to say.

Q. Did you hear a cannon around anywhere?—A. They run a cannon up to Mr. Matthews, right at the store, and they shot it off twice and broke off one of the collars.

Q. Which Matthews?—A. Ras. Matthews, in the country. They run two cannons that night; they run one back towards Bayou Pierre and around and down about Mr. Thompson's; they were running all night; The next day was Saturday, and all day Saturday and Saturday night, midnight, you could hear cannon boom. I was in the woods jest like a rat when a cat was at the hole, and never slept none.

Q. Did you not hear the cannon on Sunday, too?—A. Yes, sir; they shot once heavy Sunday evening—just fairly bellowed; and to keep from being bothered by them I went to the woods and staid in the woods and moved my folks while I started to go to the store when they were raging so, and I thought they might shoot me or something, and this time I was going, and one of my son-in-laws had went on and he got up here in the woods, and they went ahead of him and came back, and we were excited by that, and I thought it was some of them coming back to have some great contest with me, and I broke from him and he broke from me.

Q. How far was that from the village of Hazlehurst?—A. I don't exactly know; I think somewhere about fifteen miles; may be more.

By Mr. JONAS:

Q. Who was that man that talked to you when he came in with the light?—A. That was Ras. Wheeler.

Q. He is the man who did the talking?—A. Yes, sir. There came another little boy just about the size of that little boy yonder, as near as I can guess, right behind him, and peeped around, and every time he would peep around I was looking at him, so he would drop, and I says, "Oh, you little devil, that is the way so many people get killed, you young fellows will go and peep around and do the shooting and gone, and nobody knows who shot." As soon as they got out of the way I got out of my house and never staid there for three weeks.

JACK THOMPSON (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. Copiah County, third district.

Q. Is that beat 3?—A. Yes, sir; beat 3.

Q. What is your voting place?—A. Centennial.

Q. Were you in Copiah County previous to the last election?—A. Yes, sir; it has been my home and voting place all the time; I was born there. I am fifty years old, and my property is there.

Q. Prior to the last election did you see any armed men riding about the country?—A. Yes sir; and I heard the guns; saw the armed men passing, and a good many threats reached me. I knew that I had always been in the Republican party, and I had canvassed for about seven weeks the country at large; which some persons knew that fact. After court begun I found out the Democrats were furious. I could hear from the talk that they were a little mad; that they thought the Independents were going to beat them; and so a few days before the election a white friend of mine, a Democrat, told me if he was me he would get out of the county. He says, "I am friends with you." He is the man I was raised with, and I have known him all my life. I didn't take his advice; I went home and staid there Thursday night, Friday night, and Saturday night. There was a colored man that was with this bulldozing crowd by the the name of Ed. Rich. I and Ed. had been at outs for some time, and on Sunday morning, a woman living with him came to my house and told me that he said that they were going to make me vote the Democratic ticket on Tuesday, or kill me, and people at church, where they were attending quarterly conference, down there about three miles from my house, said that they came to the quarterly conference armed in that way. That word was brought to me on Sunday morning. I knew that I had did my best, and I turned everything that I could turn for the Independent and Republican united ticket, and when this woman brings me that word, after I had heard from a white friend that was a Democrat, that he didn't think I would be safe in the county; says he, "I mean to tell you the fact," and says he, "I don't think you will be safe." Then the men began to ride and lope the road on Sunday evening, and I wasn't well; I was suffering with rheumatism a good deal, but I watched and waited till they passed. Some would take the forks of the road going west, and some would go south.

Q. Were they mounted men?—A. Yes, sir.

Q. And armed?—A. All armed.

Q. Guns?—A. Yes, sir; I went out to where I could see a good many of them; some had veils on their faces. This was about an hour by sun on Sunday evening; I don't know who they were; they were in the big road. There was a hundred, I reckon, passed in the course of an hour

and a half; cannon was firing, so I got on my horse and left the county, and went to Lincoln County. I knew nothing of what went on at the election at all.

Q. Do you know Judge Wharton, the circuit judge?—A. Yes, sir.

Q. He was presiding at that court there?—A. Yes, sir.

Q. Did you hear a conversation between him and anybody else?—A. Yes, sir. I won't be confident now whether it was Tuesday or Wednesday. Probably Mr. Sexton might have been present; I don't know whether he was there or not. Mr. Sexton said, "Judge, some persons seem to think that there is some doubt in carrying the election." The judge says, just this way, "It is presumed, gentlemen, that you will carry this election; you can carry it, and you must carry it."

Q. The judge said that?—A. Yes, sir. I thought then that if they must carry it I had better get out of the way.

Q. Did the judge say anything about holding these men who committed these atrocities?—A. As soon as I turned—and everybody in Copiah County knows me—the conversation got low, got little. This is the fact about it.

Q. What day was it you left the county?—A. I left the county on Sunday before the election on Tuesday.

Q. Were the colored people alarmed in your part of the county?—A. They were all in the woods. The women was alarmed, and there was two or three men came to my house on Saturday night that was lying out under the pine bushes in front of my house; I don't know whether they were white or colored; I saw them knocking around there; they were afoot; I don't know who they were. My daughter said they came again Monday night, the same parties, but didn't try to get in, but were just thumping around. I went to Lincoln County, near Brookhaven, Sunday night before I slept, leaving about sundown.

By Mr. SAULSBURY:

Q. You say you heard Judge Wharton say to some gentlemen "It is presumed we will carry the county, and we must carry the county"?—A. Yes, sir.

Q. Who were those gentlemen he was talking to?—A. It was at the court-house; I don't know who he was talking to; there was four or five of them, and I didn't take much thought of it right then.

Q. How far off were you from Judge Wharton?—A. Ten or twelve feet.

Q. And you cannot remember any of the persons now that he was conversing with?—A. No, sir; I just heard him say this: "Gentlemen, it is presumed you will carry this election, and you must carry it."

Q. And you cannot remember any person who was present?—A. No, sir.

Q. Were you eavesdropping?—A. No, sir; I was not.

Q. You said you know everybody in the county, did you not?—A. No, sir; I said everybody in the county knows me.

Q. You do not know everybody in the county?—A. No, sir.

Q. You cannot remember any one man who was present?—A. No, sir; I don't recollect any one.

Q. Did you not say a while ago that Mr. Sexton was present at that conversation?—A. No, sir; I didn't say in that crowd. I said he might have been; I don't recollect who was there. I just mentioned that, and somebody heard of it. Everybody was moving to try to carry the election. I thought no harm about me doing my duty, as I was a Republican.

Q. What business did you follow?—A. I have been an itinerant preacher until last year for fourteen years. Last year I located on account of the health of my wife—and the Methodist Episcopal Church—and I were up there, and Dr. Burnley was kind of tending on me at the time; I was feeble and standing about——

Q. You were not engaged in any business?—A. No, sir.

Q. You were canvassing for the Republican party, were you?—A. I was not exactly at that time, but if I saw a man that I thought was weak——

Q. Did you not say you were canvassing for seven weeks?—A. Yes, sir; but I think that was the first week of court, if I am not mistaken.

Q. What month was the court held?—A. Fourth Monday in October; I forget what day now; I thought that was common; any man would say, "We must carry our election." I would tell them we must carry our election.

Q. You told that to your side?—A. Yes, sir.

Q. Then you said as much as Judge Wharton did, did you not?—A. Yes, sir; I thought he just meant that, you know.

Q. You say a woman came and told you that a colored man with whom you had some difficulty said that they were going to make you vote the Democratic ticket or kill you?—A. Yes, sir.

Q. That was the story of the woman as to what the colored man had said?—A. Yes, sir.

Q. And you had had some personal difficulty with that colored man?—A. Yes, sir.

Q. Then that was not the expression of any white man, was it?—A. No, sir; that was not the expression of any white man, but then he went to church with the crowd of armed white men on the day before that.

Q. Do they come to church armed in your parish?—A. Yes, sir; I reckon some forty or fifty went armed to the quarterly conference.

Q. Were you there?—A. No, sir.

Q. Did you see them armed?—A. No, sir; they told me.

Q. You do not know the fact yourself?—A. No, sir.

Q. You are just telling what you heard?—A. Yes, sir.

Q. Hearsay altogether?—A. Yes, sir; they told me he was there with them.

Q. That is rumor also, is it?—A. Yes, sir.

Q. You do not know that he was there?—A. No, sir; I don't know it.

Q. Was that a colored woman who told you that story?—A. Yes, sir.

Q. The story of the colored woman as to what the colored man said alarmed you and you left the county?—A. But there was a white Democrat told me——

Q. Who was he?—A. No, sir; I am not going to tell.

Q. You will not tell?—A. No, sir.

Mr. SAULSBURY. I have no power to make you tell.

The WITNESS. I told the Democrats in that county when they asked me why I went away that I had a Democratic friend that told me he didn't think I was safe.

Q. You will not tell the name of that friend?—A. No, sir.

Mr. SAULSBURY. Because we might summon that man to ascertain whether he did tell you that?

The CHAIRMAN. And he might be shot.

By Mr. CAMERON:

Q. State again why you left the county before the election.—A. Because I had heard, and because I saw people around my house on Sat-

urday night, and because the cannons were firing and men riding around with arms on Sunday evening, and with veils over their faces, and because I got word from a white man and colored woman, and knew I had been engaged in the canvass for about seven weeks, and I knew that on Saturday night there was a man and his wife shot, and about ten days before the election this old man Wallis was shot, and I thought I had better pull out before the election; and a man and his wife was shot just above me by some person I don't know.

Q. The colored people who were shot were all Republicans?—A. Yes, sir.

CHARLES LEWIS OLIVER (colored) was sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in Hazlehurst.

Q. How far from the court-house?—A. I live about a quarter of a mile, I think; it may be a little more.

Q. Are you a Republican?—A. Yes, sir.

Q. Did you have anything to do with the formation of a Republican club just before the last election?—A. Yes, sir.

Q. State to the committee what took place; where it was done, and what was done?—A. About four miles east of Hazlehurst there is a church called Cemetery Hill school-house, and they invited me out there one night to organize a club and make a speech. That night, about dark or a little after, I got on my horse and went on out there. I got a little way out of the main road and took another direction and went by another man's house who was going there, and he went with me and showed me the way. When I got there I reckon there was about 10 or 12 horses hitched around there. I knew that they were horses out of town; I knew that they were not country horses; they looked like livery-stable horses; I was sort of dubious about getting down, there was so much talking going on, and I thought I would see what was going on, and if anything wrong, I would light out from there without being bothered; I went on down there and didn't see anybody; there was two or three colored men setting there on the steps; I got down and hitched my horse, me and the man that was with me, and directly some five or six white men came walking up and says, "Well, here's Charley!" they all knew me and I knew them; they were out of the same town. "Well, Charley, when are you going to make a speech?" I told them I didn't know exactly about making a speech, I was looking for another fellow by the name of Current to make a speech. "Why don't you make a speech?" I told them I came out to hear a speech; the fact was, I had gone out there to make a speech, but I was trying to get out of it; they all stood there awhile, and the people began to come, but as soon as they saw that crowd of white men there they would go away. I then told a man that was with me, "Let us go home; there is no use in trying to have anybody here to hear the speech, and I am going away." The white man says, "Yes; and I will go too," and everybody made for his horse right at the same time. I spoke to this man that was with me, and said I, "You let them white men get on their horses and go on ahead; if you ride in front of them they might shoot you off your horse;" he said that would be a good idea. Then we sort of slacked back, and they rode on about two or three hundred yards, and the whole business stopped right in the middle of the road, I suppose, waiting for us, and we rid on up to where they were, and I passed by them and left them standing in the road whis-

pering and talking. They never said anything to me at that time, and when I got ahead of them my intention was then to light out for town and beat them to town. I put on and rid on about two or three hundred yards and came to John Newell's house and stopped to listen to hear if I could hear them coming. I heard them coming and I knew they would overtake me because there was a swamp about a quarter of a mile ahead of us, and I didn't want to get hemmed up in the swamp, and I thought I would go in Mr. Newell's yard and let them pass. I went in the yard with my horse, and by that time they overtook me, and the whole thing run right up to the gate and said, "What are you stopped for?" I told them I had some business that I had to attend to. They said, "Well, you get in the road ahead of us and go to town." I told them I didn't come out there with them, and I wasn't going to town with them; that I had a right to go to town when I got ready, and by myself, for I didn't come out there with them. I told them I was going to stay out there. One of them says to me, "Well, we will stay all night with you;" another says, "Yes, we will stay all night"; and it went all around just like a song, and they commenced putting their legs on their saddles and commenced looking like they were asleep. I didn't know what to do, and nobody wasn't moving. Then directly one of them rid up pretty close to me and said, "By God, you strike right off for town, young man," or some such remark as that. I told him I wasn't going to town; that I didn't propose to be driven to town in front of any crowd that way, and I wasn't going to town. So I got up on my horse and rode right on back through the man's yard. I never was in the yard before in my life. I don't know exactly who lived there, but I thought Mr. Newell lived there, and I run on down behind the house and tuck a sort of blind road that carried me out into the Monticello road, from Hazlehurst to Monticello; that throwed me off about two miles off of my main route. They still stood there at the gate and never followed me any further. When I got into the road and came on up the other road to Hazlehurst from Monticello I made tracks until I got into town.

Q. How many of those white men were there?—A. I think there was about ten; I most forget how many.

Q. Were they armed?—A. I don't know.

Q. Did they have guns?—A. No, they didn't have any guns.

Q. Were they Democrats?—A. Yes, sir; they were all Democrats.

Q. So that you did not organize any club?—A. No, sir; I didn't organize any meeting.

Q. As I understand you, when the people came there and saw these white men, they left?—A. They left.

Q. Was that church burned afterwards?—A. Yes, sir.

Q. When?—A. I ain't certain, but I think, though, it was the next night.

Q. Was that a colored people's church?—A. Yes, sir.

Q. I suppose you do not know who burned it?—A. No, sir; I don't know who burned it.

Q. Do you know whether any of these men were out of Hazlehurst the next night?—A. No, sir; I don't know whether they were or not. I wouldn't stay in town that night.

Q. Where were you on election day?—A. I was in Hazlehurst.

Q. Had you seen men riding around with guns before the election?—A. I think on the Sunday before the election I saw them going out on horseback with guns in the direction of what they call Tailholt.

Q. Do you know Mr. Meade, chairman of the Democratic committee?—A. Yes, sir.

Q. Have you had any conversation with him recently?—A. I had a talk with him after the election.

Q. In relation to the killing of Matthews?—A. No. I was in the woods, and I was conferring with him about coming back home, for all my business was going to destruction, and I couldn't get on no trains to go anywhere.

Q. How did you come to meet him?—A. I went to my house one night and got my wife to go up there and see Miller and Meade, and whoever I thought was bossing that mob up there in town. I didn't know who did have it. I thought she would see them and they would know.

Q. Did you see Meade?—A. Yes, sir.

Q. Where did you see Meade?—A. I saw him up there at his house.

Q. What talk did you have with him?—A. He sent word by my wife to tell me to come up there, but I couldn't go up there nowhere in the daytime, and so in the night I went up there to the fence and he came out. I had two or three talks with him. The first talk I believe I had with him he came out and he says to me, "Charley, I have went all over town," and he says, "I can't control these men." He says, "I can't do anything with them." He says, "I have seen some of them, and some of them have agreed to do so and some of them have agreed not to bother you; you had better go and see Mr. Miller and somebody, and get them to work around, and get them to not trouble you." I said, "What is it I have done?" He said, "All I know is you have had a good deal of talk about here, is all I hear, speaking and canvassing out here at Cemetery Hill; that is all I know." I asked him to see what he could do with them for me, and I believe the man did do all he could at that time; at least he told me he did. That was a long time afterwards. He told me to stay in the woods three or four days longer and then come in town. He told me to stay in the woods or send my wife up there and let her see him, but not to come up there myself.

Q. Did you see him again?—A. Yes, sir.

Q. What conversation did you have with him then?—A. He said he had got it all arranged then.

Q. Did Meade see you this last Saturday night?—A. Yes, sir; he saw me Saturday evening, I think it was.

Q. What did he talk to you about then?—A. He asked me had I been summoned to New Orleans. I told him I hadn't. He asked me then what was going on, and did I know anything about it. He said he had done all he could for me.

Q. Did he tell you what he wanted you to swear to?—A. No; he didn't tell me what he wanted me to swear to.

Q. Did he say anything about it?—A. No; he didn't say anything about that, not as I remember now.

Q. Did he say anything about your swearing that Matthews had a pistol in his hand raised on Wheeler when Wheeler shot him?

The WITNESS. Said what?

Q. Did he say he wanted you to swear that Matthews had a pistol in his hand or anything of that kind?—A. I don't remember about that. There was something said about that, but I don't remember what it was. It was along right after the election. It has been so long ago I have really forgot what it was; but there was something said; I don't know what it was.

Q. Did you have any such conversation with Meade just after the

election?—A. I think there was something said about it just after the election.

Q. Can you remember what was said?—A. I can't exactly; I have had several conversations, but I be switched if I hain't forgot almost.

Q. Do you know whether the colored people for a fortnight before the election were very much alarmed throughout the county or not?—A. Yes, sir.

Q. Do you know whether they lived at home or not?—A. They pretty well all stayed in the woods.

Q. Do you know, yourself, whether or not there had been firing of guns for a fortnight before the election, around in various directions?—A. Yes, sir; all over the whole country, as far as I could hear of.

Q. Had there been any firing of cannons?—A. Yes, sir.

Q. Did you hear it?—A. Yes, sir.

Q. You say you have canvassed around there. What was the condition of the colored people for a week or ten days before the election? Were they in a frightened condition or were they at home?—A. I just tell you how things was there: The whole country was in a range of terror all over the whole length and breadth of the country with colored people, as far as I could see. There was nobody stayed at home; everybody was excited and scared and troubled pretty near to death, and quit their farms.

Q. Quit their crops?—A. They had to leave, as far as I know.

Q. You voted, did you not?—A. No, sir; I didn't.

Q. Why did you not?—A. I went there to vote, and they shot Mr. Matthews down, and I wasn't very far away; but then I took and went to the woods the quickest route, and I stayed there, too.

Q. How long did you stay?—A. I stayed there two weeks; I couldn't get on the trains no way; I tried to get on the train two or three places, but I was blockaded up.

By Mr. JONAS:

Q. Did you not take a very active part in the canvass?—A. I did for a while.

Q. Were you not in the habit of going armed yourself?

The WITNESS. Me?

Mr. JONAS. Yes.

A. No, sir.

Q. Did you not keep arms at your house?—A. No, sir; I live in town, and I never had a chance to go hunting, and so I didn't have any use for a gun.

Q. Were you not in the habit of firing off pistols and guns at your house at night?—A. No, sir.

Q. At the time this firing was going on, did not you yourself frequently fire?—A. No, sir.

Q. You did not fire either guns or pistols off in your house?—A. No, sir; I didn't.

Q. At that club meeting to which you allude, was not a man called Current to speak there?—A. Yes, sir.

Q. He was expected to speak there?—A. Yes, sir; he was expected to speak there.

Q. Was not he one of the parties who was concerned in the riot some years ago at Mississippi?—A. Not that I know of.

Q. Do you not know he was there?—A. No; I never got acquainted with Current until about three months before election; I don't know where he came from; I never saw him before that.

Q. Do you not know the reputation he had?—A. No, sir; as far as I heard he had a very good reputation among the colored people; I don't know any white people that know him.

Q. Do you now know that these white people went out there that night from Hazlehurst to see if Current was to speak?—A. They may have went out there for that, but I don't know certainly if they did go for that, because they didn't tell me that.

Q. Were they not all boys, anyhow?—A. Boys and men.

Q. What men were there?—A. Mr. Hargraves was there; Lawyer Bailey was there; Mr. Charley Hart was there; Mr. Reuben Morrison, another lawyer, was there; and I forget who all else.

By Mr. FRYE:

Q. Those are the boys that were there?—A. Men, lawyers, some of them.

By Mr. JONAS:

Q. Did Current live in Copiah County?—A. I don't know whether he did or not. I haven't seen him since they got hold of him down there in the railroad cut one night. I don't know what has become of him.

By Mr. SAULSBURY:

Q. That crowd of boys that were there did not offer you any harm; they did not strike you, or hurt you, or anything of the kind, at that meeting?—A. No, sir; they never done anything for me.

Q. They did not make any threats to you, did they?—A. No, sir; they didn't make any threats to me.

Q. Did they threaten anybody at all that night? Did you hear them threaten anybody?—A. No, sir; I never had no more talk with them than what I told you; I didn't hear them threaten anybody.

By Mr. CAMERON:

Q. Why did you not organize a Republican club there?—A. Well, when the people would come there and see the white men there, they would leave; they were afraid.

By Mr. SAULSBURY:

Q. Was not this man Current brought into Copiah County for the purpose of organizing clubs? Do you not know the fact that he was sent for outside of the county to come in there to organize clubs?—A. No, sir; I don't; I don't know it, for I don't know anybody that was organizing clubs but myself; I know I have been in it for six or seven years.

Q. How long have you lived in the county?—A. I was born there, and raised right there in Copiah County.

J. W. BONDURANT sworn and examined.

By Mr. FRYE:

Question. What is your first name?—Answer. Joe.

Q. Where do you reside?—A. Copiah.

Q. What part of Copiah?—A. Beat 3.

Q. What was your voting precinct?—A. Centennial.

Q. How long have you lived in Copiah?—A. All my life; twenty three years.

Q. Born there?—A. Yes, sir.

Q. What are your politics?—A. Republican.

Q. Were you in beat 3 and around there previous to the last election?—A. I was.

Q. For what length of time?—A. All the fall.

Q. You may state to the committee what you saw of this mob or armed men which has been testified to here this morning.—A. The first I knew anything about the mob riding around was when Tom Wallis was killed. I didn't see any of them then, but on Friday night before the election I was going from the gin and I met a lot of men in the road. There was going to be a speaking at Centennial that night, and I thought I would go. I met those armed men and saw that they were Democrats, and going there armed, and so I didn't think I had any business there as I was a Republican. But they didn't have the speaking there that night; there was a crowd came from Spencer's Mill and met them and stopped at Ainsworth's store, which is about a mile and a half from where I live.

Q. What did they do there?—A. Shot off their pistols, and shot the cannon, and hollered and yooped and yelled around.

Q. These mounted men?—A. Yes, sir.

Q. How many of them?—A. I think about 150 of them; may be more.

Q. What were they armed with?—A. Shotguns, pistols, and rifles.

Q. Did they have a cannon?—A. Yes, sir.

Q. Did they fire that that night?—A. Yes, sir; they kept that continually going.

Q. How much of a settlement is there around Ainsworth's store?—A. There is a good many colored people living around there.

Q. What kind of rifles do they have, do you know?—A. They have breech-loading rifles and some of all sorts; some needle-guns I think.

Q. How long did they stay around there?—A. They staid there about an hour maybe, perhaps not quite so long, and then they came on up the road towards where I live. I think they called on the colored people all along as they came along, and when they got up there at the store, the first I knew that they were going there, I was down at the house of Mr. Matthews——

Q. Which Matthews?—A. Ras. Matthews (T. E. Matthews); and Mr. Matthews's clerk was there, and when I heard them coming, hollering—there had been a good deal of talk and rumor that they were going to get hold of H. B. Ormond, who had been making a radical speech, and I says, "Suppose we walk up to the store." We stood there a while, and Ras. says, "Let us walk up to the store," and we walked up to the store; that is about fifty yards from the house. We walked in the store and made up a light. They were down right there right below the store. They came up hollering around, "Somebody had better get away from here," and when they got up within thirty yards of the store somebody wanted to know where Ormond was, and then they hollered, "Somebody had better get away from here." Then they wanted to know where Gall Matthews was. Then they hauled the cannon around; we could hear it, and they said, "Turn it on the store," and one of them says, "Put a log-chain in it and shoot the damn thing." And one says, "Ain't you got buckshot? Put that in and shoot hell out of them." I stood there on the gallery, and Ras. Matthews stood there, and they shot the cannon and hollered and went on and cursed us, and hollered at us to go to hell, "The damn set of sons of bitches," and then they rode on up the road and hollered "Halt." I was standing on the gallery, and Ras. says "Come in and sit down;" and I went in and sat down on one side of the fire-place, and Ormond was sitting behind me, and they rode up and shook their guns in the store, and hollered and made other noises, and

went down even with my house and hollered again, and turned and came back. When they turned and came back, Wheeler was in command.

Q. What Wheeler?—A. Ras. Wheeler (E. B.), and he says, "Open your mouths, you damn sons of bitches you," and about that time two pistols or guns fired and shot right in the store, and then there was continual firing. Some of the balls went in the side of the house, some passed through, and some went over our heads and struck some tinware, and two balls came in the door between Mr. Matthews and myself; we were standing about a foot apart. They hollered, "Bring them out and swing them to a limb," and dared us to open our mouths, and went on down the road about half a mile, and made a nigger come out from the house there and went in it.

By Mr. SAULSBURY:

Q. Did you see it?—A. I know it was done.

Q. Did you see it?—A. I saw the niggers directly afterwards; I could hear the pistols shooting right at the house.

By Mr. FRYE:

Q. Out of the negroes' house?—A. Yes, sir.

Q. So far as you could see them, were they calling at the various negroes' houses?—A. Yes, sir; so far as I could hear them or see them either. I knew where the nigger houses were right along the road, and I could hear the guns and cannons shooting.

Q. What time of night was this?—A. I suppose it was between 9 and 10 o'clock.

Q. You said this was Friday before the election?—A. Friday night before the election.

Q. Had you seen prior to that anything of squads of this kind going around the country?—A. I don't believe I had; I had heard of them but I hadn't seen them.

Q. What finally became of them that night?—A. They went on down to about the Thompson place, and next morning came back and passed some resolutions there about old Tom Wallis being killed; said if Frank Thompson, Marion McCree, Joel East, or Tom Wharton was injured in any way they would hold the Matthews brothers responsible; and they sent five or six armed men with their guns on their hips with those resolutions.

Q. That was to Erastus Matthews?—A. Yes, sir.

Q. Do you know why they named these men?—A. I don't know why they named them.

Q. Was this crowd all Democrats, so far as you know?—A. Yes, sir.

Q. All of them white men?—A. There was only two niggers amongst them

Q. How many men do you say adopted resolutions to Erastus?—A. It was five or six; I am not certain which. I think, though, it was six.

Q. Do you know the names of any of them?—A. Charlie Hart, Hans Pan, and some Davis; I don't know which Davis. That was three I know.

Q. Was Frank Davis in this mob at any time?—A. I don't know whether he was in the mob that night or not. I heard that he was, but I didn't see him.

Q. When did you see this mob at any other time?—A. The next Monday and Sunday.

Q. Where did you see them on Sunday?—A. I seen them Sunday

coming down the Natchez road; I didn't see all of them; part had passed on, I heard, and I was going on out to Frank Bufkin's, and as I got in the road some more of them went on down the road.

Q. Horseback?—A. Yes, sir.

Q. Armed?—A. Yes, sir.

Q. How many squads did you see that day?—A. Two. I was too far from the road to see how many there was in the first squad, but I think there was about twenty in the last crowd.

Q. Did you hear any firing on Sunday?—A. Yes, sir.

Q. How far is that from the town of Hazlehurst?—A. Fifteen or sixteen miles.

Q. Up in that section of the country are most of the people colored?—A. Yes, sir; and most of them Republicans too.

Q. And in beat 3 are there many colored people?—A. Yes, sir; most of them was colored people; and there was two or three hundred Republican majority there, I think, maybe more.

Q. Did you see anything more of them on Sunday?—A. No. I went on out to Frank Buffkin's, and that was off the public road.

Q. On Monday?—A. I came back on Sunday night, and Monday I started down, and I would see a few along every now and then until I got within 6 miles of Hazlehurst. The first I knew I saw some niggers come running down, and I said, "What is the matter?" They said, "What is these armed men up to?" I said, "Nothing but to scare you; don't notice them." About that time four of them came up and looked at me and put their shotguns that way [illustrating]. I didn't know some of these men when I got up to them just six miles from Hazlehurst, and when I got up with them on the road to Marion Higdon's——

Q. He was one of them?—A. And spoke to him and says, "Marion, what does this mean?" I said, "I thought we were good friends." I saw him that night at the store. I said, "For my part, if you had wanted me you know I would have stepped out anywhere to talk to you"; and I said, "There is my sisters and my aunt and all her childred there;" I think there was fourteen of them, some of them nothing but children, screaming and hollering, and I told him I didn't like it and I thought it ought to be stopped, and asked what he thought about it. They just remarked about it there in the mob that none of them was scared and they didn't know that any of their women were scared, just to let me know that no Democratic women were scared. And Bailey says, "Bring Bondurant up here and we will make a Democrat of him." I told him they tried that sufficiently the other night. That was all he said, and I stopped at Jones's to get out of the mob, and when I stopped there I got into it just about as bad, because one rode in to get a shotgun, and his mule wouldn't let him take it, and so he brought it back, and old Dr. Jones says to me, "Joseph, what does this mean?" I said, "I don't know, doctor, it looks like the country is coming to a pretty pass." It was Bill Higdon that rode with me there, and old man Jones says, "William, does your father know of this?" Bill says, "Yes." Mr. Jones says, "What does he say?" Bill says, "He told me to go ahead and carry beat 3." That is the answer old Dr. Jones got from him. I spoke to Dr. Jones, and says, "Doctor, I wouldn't have thought that of you now." He had a Navy six, about that long [indicating], and was taking it out to have it fixed; he was trying to revolve it. I said, "I wouldn't have thought that of you." He said, "By God, we are going to carry the election." I said, "Do you mean to say you are in favor of scaring helpless women and children?" He said, "No, but damned if we are not going to have this election."

Q. Was he a leading Democrat?—A. Yes, sir; he was a Democrat. He rode on out of town with them, and I stopped there, and when I caught up with them again they were nearly in Hazlehurst. The head of the column was within about a quarter of a mile. I attempted to ride on around to ride by, but they halted me, and a fellow fired his pistol as soon as I caught him, and nobody else didn't fire, and he rode up and down, and said, "Why in hell didn't you shoot?"

Q. Who was that?—A. That was little Ed. Brown. Just as I got about middle ways they commenced shooting; every man pulled out his pistol and commenced, and they fired, I reckon, everything they had, and then they halted again, and I had to halt and stood there, and Hargraves came out and met them; some of them said it was Hargraves, but I couldn't see him.

Q. The sheriff?—A. Yes, sir. And they brought the drum and flag and went on beating the drum into town; just as we got into town one of the men rode down the line, and says, "By God, I went into this thing to go through with it, and if I can get ten men to go with me we will wind matters up"; and one of the mob said, "You can get just as many backers as you want."

Q. Who said that?—A. Frank Davis; and Joe Purser was the man that gave that answer.

Q. Was Ras. Wheeler in that crowd?—A. Yes, sir; he was major of the crowd—boss; and I don't know what Frank Davis was—lieutenant or something.

Q. Did Wheeler make any report?—A. No, he didn't make any report then. I went on and was trying to get past them, when the mob hollered and waved their hats, and I was riding a mule and he didn't want to go on, and the first track I came to I went out and told Mr. Matthews what was said.

Q. That was on Monday?—A. That was Monday before the election.

Q. What time of day was that?—A. I suppose about 10 or 11 o'clock.

Q. Coming in from the country after having been out through the night?—A. Yes, sir. While I was sitting on Mr. Matthews's gallery they passed in front over on that side of the railroad, hollering, "Somebody had better get away from there"; but only about half the mob rode around that time, and some would make remarks, "Look how he is twisting his mustache," and to let them get away from there, and all such as that. Then they went up in town there a little farther and all met and sort of fell out about something; I don't know what was the matter, but I heard it reported that they were going up to old man Matthews', and I went to Marion Higdon——

Q. He was one of them?—A. He was one of the mob, and I says, "Marion, I think this is a pretty pass; he is an old man and not doing anything; don't you know if you kill him or kill Matthews, some of you is going to get killed? There is no use in killing anybody, and for God Almighty's sake stop." He said, "Joe, I pledge you my word we are going to leave town." Then I asked Hargraves what was the matter. He said, "That is all right; they are going to leave town now; I am doing all I can"; but still he wasn't doing a thing, for I heard him inquiring about what was said when they passed Matthews. I went along, and just as I got back to the bridge the crowd came around in front of his house and was hollering, and passed his house, and sent a man back with resolutions; and I went right back up the street and got there, and Hargraves asked what Matthews had to say, and the feller that carried that told what was said. I couldn't tell all he said, but I heard him say, "I told him if he never died until I killed him he would

live a damn long time." That is what John McLemore told Matthews when he carried him the resolutions. And Marion Higdon said, "Now, don't go on and go out of town; we are all going." I didn't propose to walk out and stick my head in a halter; I told him I would be out directly, but I went back and staid till 11 o'clock. That night Barksdale made a speech, and I went up and heard him.

Q. Where did he make a speech?—A. In the court-house.

Q. That is Barksdale, present member of Congress from that district?—A. Yes, sir.

Q. Was this mob present?—A. Part of it turned and came back.

Q. And went up there?—A. Yes, sir.

Q. Did Barksdale advise them to disperse and give up that sort of business?—A. He rather advised them to go ahead with it.

Q. What did you hear him say?—A. He went on to say a good deal about the Republicans, but the main thing he said, he said he was glad to see the fixed determination in the faces of these armed men that rode around town; he saw from their countenances that they meant to carry the election, and he said, "Gentlemen, we shall carry the election regardless of the issue."

Q. You heard him say that?—A. I heard him say those words, and call upon them to come up and have a love feast, and called upon Brother Millsap.

Q. He is a Republican?—A. I don't know what he is; he is a minister. And they called on Bailey for a speech. Bailey got up and made his excuse that they had been in the saddle.

Q. Did Bailey say how long he had been in the saddle?—A. I am not certain, but it was either a week or three or four days; I am not certain now whether he said whether he had been in the saddle a week or three or four days; I won't say positively; and they then called upon Wheeler.

Q. Ras. Wheeler?—A. Yes, sir; and he got up and says, "I have been in the saddle."

Q. Did he say anything about being tired and worn out?—A. Yes, sir; he said he was tired and worn out and had been in the saddle; that was their excuse; and, of course, every one knew what they meant; and some of them said that every man must vote all the niggers they could; and Bailey got up and says, "They won't have none to vote, for they are all in the woods in beat 3;" that was Bailey's word; and then he said he wanted to make a move to appoint a committee to bury the independent dead the next day. Barksdale advised them in his speech to hang Frank M. Buffkin so high that the birds of prey couldn't bury their beaks in his body.

Q. You heard that?—A. I heard him say it.

Q. Was Meade there?—A. Yes, sir; he was in the chair.

Q. Did he make any call for men?—A. I don't know whether it was Meade or some of them——

Q. When I say Meade, I mean the chairman of the Democratic committee.—A. Yes, sir; I know who you are talking about. He wanted them to appoint twenty men to hold themselves ready with arms—to be armed and hold themselves in readiness subject to the call of the chairman of the executive committee; that was Meade.

Q. Where were you on election day?—A. I went to Centennial and voted, and then went to Spencer's Mill. When I got to Centennial, I got off of my horse and walked around and spoke to several. I first went and took a lot of negroes who had been lying out in the woods. I took them down there, and when I got off my horse Marion McCree

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walked up to me and offered me his hand, and I shook hands with him. He says, "I can tell when I feel a man's hand whether he can vote or not." I told him I didn't suppose it felt like he could vote me. I walked around the house one way and he another. There was Mick Mitchell—there was one I know—spoke something to him, I couldn't understand what it was, and they remarked, "Yes, we have got them close, by God; if you need them call for them and we will bring them." I voted and got on my horse and went to Spencer's Mill. Just before I got there I met a fellow who told me that they had shotguns up there; that was a nigger; and I saw a fellow galloping ahead of me with a shotgun, and another one behind me with a sixteen-shooting rifle, and I turned and galloped, too, and when I got there there wasn't an Independent there but one; that was Darius Barlow; and the Democrats was strung along the fence; some of them squatted with guns between their legs, and some with guns on their shoulders, and some standing on the road.

Q. Did they all have guns?—A. Yes, sir.

Q. And only one Independent present?—A. Only one Independent there, and I think there was two or three niggers, but they were off at a distance; there was only two voted there.

Q. What time of day was that?—A. I think that was about twelve o'clock, maybe; but they didn't eat dinner; they didn't adjourn for dinner.

Q. Where else did you go on election?—A. I didn't go anywhere—yes, I rode up to Marion Higdon's; he was one of the inspectors. He came out and said, "I want to see you." I said, "What is the matter?" Marion said, "There has been a fuss, and if you will keep these men"—that is, the Independents that had gone off under arms, as I thought—"if you will keep them away from here, I will pledge you my word you shall not be injured. The Independents are away ahead and there is no need of any fuss at all." I said, "I don't want any fuss; I don't know anything about it; I just got here." He says, "I know it, but you send word to these men not to come back and there will be no trouble, but they will get hurt if they come back." I said, "I have got nothing to do with them; I came here to distribute Independent tickets, and that I am going to do." He says, "You shall do it, and you shall not be injured." I staid around there a few minutes, but he didn't tell me that he had sent a man to town to send down these men. I staid there a while and begun to inquire into the fuss—what had been the matter. Just there I called a nigger to me and was going to give him a ticket, and he says, "Hold on, I will see you in a minute." I says, "You needn't be afraid, they are not going to bother you; they have pledged me their word that they won't bother any of you." He was standing back, though, looking at them, and didn't believe it. I looked back and looked up the road and saw Harman Buffkin coming down the road, and then came this crowd from Hazlehurst behind him, and they galloped up, and when I seen them coming I struck a bee-line for Marion Higdon. I knew there was no chance to get away, for they were between me and my horse, and so I stepped up by the side of Marion Higdon. He looked at me and I stuck to him, but we never spoke a word to each other. He says, "Gentlemen, everything is quiet, you can't do nothing but feed your horses." One of them remarked, "By God, we are not going back without having something; we have got to have something before we go back." One of them says, "Did you hear that Print Matthews is killed?" And one of them says "Yes." David Hill and another one says, "By God, all we will have to do at elections now is just to meet and appoint our men and let them take their seats."

By Mr. JONAS:

Q. Who said that?—A. Young Jeff. Thompson, and all of them slapped their hands and hollered.

By Mr. FRYE:

Q. At the announcement of Matthews's death?—A. Yes, sir; I got on my horse and started across to tell Darius Barlow. Some of them says, "We don't allow none of Matthews's friends to go in town; we have got that thing guarded, and none of them can go there." And young Jeff. Thompson says, "If any of them start from here, by God we will get them before they get far; we will attend to that part of it down here."

Q. Did you go to town?—A. I didn't go to town.

Q. What had been the effect upon the colored people of that whole section of country, of all this firing and riding around the country by these squads?—A. They ran from their houses and didn't pretend to stay in them at all night or day; they went out in the woods and didn't have time to attend to their crops.

Q. Did it have any effect on the white people?—A. Yes, sir; it did.

Q. Did many of them leave their houses?—A. Yes, sir; some of them got away from that part of the country.

Q. What became of Ormond, whom they were after?—A. He was in Rankin County the last I heard, and hasn't been back since. There was a nigger, dead now, who rode down with the mob; his name was Kin Harrison. I met him, and he asked me where Ormond was; I says, "He is at home." He says, "He is not going back to Matthews's store, is he?" I said, "No; I don't think he is." He says, "Well, he had better never go back there, and you had better keep him away from there." I said, "Why?" He said, "I know what I am talking about, and I am going to start on and off and give him the money." He had known him a long time, and may be had belonged to some of Ormond's folks, I don't know. He went and saw Ormond, and Ormond left. He came and said they were going to kill him; he came and said that the mob said that they were going to report to the grand jury, and prove by four or five witnesses that he was the man that killed Tom Wallis, and have him hung for it.

Q. Has your father lived in that country for a long while?—A. Yes, sir.

Q. How long?—A. Long before the war.

Q. Was he a Mississippian?—A. No, sir; he was born in Alabama.

Q. Has he held public office over there in Copiah?—A. Yes, sir.

Q. What?—A. Surveyor and assessor.

Q. For some time?—A. Yes, sir; he was elected surveyor, I believe, before the war, and directly after the war; I am not certain. He was a lieutenant in the Confederate army.

Q. Did you know Print Matthews well?—A. I did.

Q. What kind of a man was he?—A. I don't know as I ever knew a cleverer or better man.

Q. Was he esteemed by his neighbors all around?—A. Yes, sir; I don't think he had any enemies, only in politics; they did not like him because he was a Republican.

Q. Was he a man of considerable property?—A. Yes, sir.

Q. A large owner of real estate?—A. Yes, sir; and furnished a good many of this mob.

Q. You mean furnished them with their goods?—A. Furnished them with their supplies and provisions to make their crops.

Q. Trusted them?—A. Yes, sir.

Q. Was he a liberal man and generous?—A. Yes, sir; there was not a more charitable man anywhere; you couldn't find one.

By Mr. JONAS:

Q. You voted, did you?—A. Yes, sir.

Q. You were not personally molested during all this time?—A. Well, yes, sir; I wasn't myself, but would I have been——

Q. I ask you if you were yourself?—A. Well, yes, sir; if breaking open a man's house molests him any, I was molested; that was done since the election.

By Mr. FRYE:

Q. They have broken open your house since the election?—A. Yes, sir; the night of the election down there a man came from the election and sent a man and told him not to let me go back again, that they intended to kill me, and were going to kill Frank, my brother. Frank Buffkin and myself rode out there, and we could see where the men and horses had been in and around, and the doors were broken open.

By Mr. JONAS:

Q. They did no harm or injury of any kind?—A. They didn't bother anything.

Q. They never personally molested you during all this canvass, although you met them, as you say, repeatedly?—A. Well, yes, sir. But don't you suppose that it would molest a man to have them shoot around his house, and have his brothers and sisters——

Q. You told all that; I am asking you whether they personally molested you. Did they arrest you, or beat you, or do anything of the kind?—A. No.

Q. On the contrary, you have said that every time you met that crowd you met friends among them?—A. Yes, sir; I had some friends among them, and some that pretended to be friends.

Q. On every occasion you spoke out your sentiments, if I understand you correctly?—A. No; I did not.

Q. I understood you to say so?—A. I reckon not.

Q. You said you were a Republican, and intended to vote, and would not change your vote?—A. You never heard me say that I told them they would not change my vote.

Q. I heard you say, "Do I look like a man that could be changed?" You said that.—A. Oh, yes; that was to Marion McCree.

Q. They all knew you as a Republican?—A. They did.

Q. You rode with them, you met them, and stopped at their houses and talked with them, and yet you were never personally outraged?—A. No, sir.

Q. Do you know anything of the time Ormond left Copiah County?—A. I do.

Q. Did you and Frank Buffkin go to his house the night before?—A. No; we did not.

Q. Did either you or he go there the night before and shoot off your guns to alarm him?—A. No, sir; we didn't go about his house.

Q. Did Buffkin do so to your knowledge?—A. No; he did not. All the shooting me and Frank Bufkin ever done we stood on the gallery the night of the election and did.

Q. Was Ormond there?—A. No, sir; he was at his house, I suppose.

Q. How far is Ormond's house from Buffkin's?—A. About 150 or 200 yards.

Q. Was this after night?—A. Yes, sir; after night. The election was on Tuesday, and Ormond left on Thursday following.

Q. There was no firing on Wednesday from Bufkin's gallery?—A. No, sir; the last time I seen him I went to his house to see if he was going to attend to Matthews's books and keys and money, and he said no, he was going to leave.

Q. I suppose you knew a great many of the crowd who were present listening when Major Barksdale made that speech?—A. I suppose I would know some of them.

Q. Name some of them who were present and heard the speech.—A. Charley Hart, and Judge Millsap, Meade, Rev. W. G. Millsap, Ras. Wheeler, Joe Bailey, and Ernest Jones; he is at Oxford, I think.

Q. Is that all you remember?—A. No, sir; I suppose I could name over some more. It was just a crowd of that Hazlehurst mob.

S. C. MATTHEWS sworn and examined.

By Mr. FRYE:

Question. Were you in Copiah County at the last election?—Answer. I was.

Q. For how long were you there?—A. I went up there the day previous to the election.

Q. On Monday?—A. Yes, sir. About ten days before the election, or probably two weeks; I was up there on a visit to J. P. Matthews.

Q. How long did you remain then?—A. I remained with him, I think, as well as I remember, one day and night.

Q. Are you a relative of J. P. Matthews?—A. Yes, sir.

Q. What?—A. First cousin

Q. The first time you were there, what, if anything, did you see in regard to these troubles?—A. Nothing at all; all that I knew about them then was from hearsay; I saw nothing.

Q. The second time?—A. The second time that I was there, on Monday before the election on Tuesday, the first thing I saw when I got into Hazlehurst, was a mob of somewhere between seventy-five and one hundred men parading the streets, armed.

Q. On horseback?—A. Yes, sir.

Q. Armed with what?—A. With shotguns and six-shooters. L. H. Matthews and myself were standing in the door of J. P. Matthews's store; this mob rode by and stopped in front of the store and made some remark that somebody had better be clearing out of town—had better get away; that the time was coming when they would have to leave. All that evening this crowd was parading the streets, and up around the court-house there was a gentleman, and his horse either threw him or he fell off, and his pistol went off, and that got up considerable excitement; it was said that one of the Democrats was shot. They came down for the physician, and then found out that he was not hurt, and everything passed off then, I believe, very quietly. But during this time Barksdale was speaking. I did not go to the speaking; I knew there was a political prejudice existing in the county against J. P. Matthews and myself. I was no politician; I was always a liberal man. When it came to an election, if there was a man on the ticket that suited me, and I thought he was capable of filling the office, I would support him; if not, I would not. I was never any advocator of the party lash, and that is the principle that the Democrats go upon in that county.

Q. You are a Democrat?—A. No, sir; excuse me, if you please, I was

not. On Tuesday I got in a buggy and went up there. My business was to go to Rockport precinct, out on Pearl River, about eighteen or twenty miles east of Hazlehurst. I was up there two years previous to that, at the election, and they slipped up on me and packed the box. So I made up my mind to come back to this last election and see if I could not do better. I made a success of it the last time. About the time the principal part of the voting was done there, news came that Matthews was killed. I found them there with their shotguns and pistols and they said they were going to carry the election anyhow. I thought that was a movement to get me away from Rockport, so they could stuff the box again. So I got in my buggy and drove pretty lively until I got in the neighborhood of Hazlehurst, where I met people going from Hazlehurst. I had heard that Matthews was killed, and I found out from these people I met that it was a fact. So I then came on to Hazlehurst and got to within about six miles, when I met a nigger on a horse, and he stopped me and told me I did not want to go any further. I says, "Why not?" He says, "Ras. Wheeler killed Print Matthews" and remarked that the only danger was from Kirk and Clarence Matthews; that was me and my brother. "He says there is no danger of getting away from those other Matthews boys;" and he says, "Clarence is out east here, and we will kill him to start on, and we will only have one to fight, and that will be Kirk." So this nigger told me I had better not go to the neighborhood. I says, "If that is the case, you take the buggy and drive off in the woods and stay there until dark; don't go into Hazlehurst until dark, because they are running about, and that horse and buggy will give me dead away." Then I said, "I will woods it from here to town, and come in the back way and go to Print's house," which I did a little after dark. A few minutes after I got there the nigger came up, driving the buggy. I then sent the horse and buggy over to the stable. When they saw the horse and buggy they said that they had been defeated, and the report afterwards came to the house, in a little while, that they were going to hang the nigger that informed me. So he left and has never been in the county since.

Q. What did you see in Hazlehurst?—A. I saw a mob of men going around there with arms.

Q. On Tuesday?—A. Yes, sir, and on Tuesday night.

Q. What did they do?—A. I don't know what they did, from the simple fact that I was exactly afraid to go out on the street to see; and I must say that that was the first time I ever felt fear in my life, and I saw the elephant during the war, but it never did strike me half as bad as it did there.

Q. Did they have a cannon?—A. They had.

Q. And a band of music?—A. They had, and they played it for all it was worth.

Q. Were you in the Confederate army?—A. Slightly, yes, sir; I had a little taste of it at Port Hudson. I was in town on Monday while this mob was parading the streets, and I heard it casually—I could not give my author, and would not pretend to give it—that I must go and tell Print not to come out on the streets; if he did they would kill him. A portion of them came there on Monday—Mr. John Low was one of them—and asked Mr. Matthews to come over in town and disperse the mob. Print's remark was, "You must think I am a damned fool"; he says, "If you will make me sheriff of the county, I will disperse them; but," he says, "you won't get me out there now; if Mr. Hargraves, the sheriff, can't disperse them, they can go;" and Matthews told Low that it was only their intention to get him out and kill him; but Low says, "Oh, no, we do not want to do that."

By Mr. SAULSBURY:

Q. What Low was that?—A. John Low.

By Mr. FRYE:

Q. Was Low a deputy sheriff?—A. He is jailer.

By Mr. JONAS:

Q. You went to Copiah County?—A. Yes, sir.

Q. What took you up into Copiah County?—A. Oh, to look after the interests of my friends.

Q. Could you vote in Copiah?—A. No, sir; but I felt that my friends needed my assistance at Rockport, and I went there.

Q. Your assistance was not needed at home?—A. No, sir.

Q. Have you not been in the habit of going to Copiah County to take part in elections from the time elections have been held there until lately?—A. No, sir; I have always voted in Copiah until recently.

Q. So you went up there this time to help your friends?—A. I went back to finish the work I left undone from the year previous; they sort of run the giraffe over me.

Q. Did you run the giraffe on them?—A. No, sir; but I was determined that they shouldn't practice any more fraud on me.

Q. If you had not been there they could not have practiced fraud on you, could they?—A. That is the first time I had had anything to do with the ballot-box; two years previous to this is the time I said that they run the giraffe over me, and that is the first time I had had anything to do with the election, only to go and give my vote.

Q. They could not run the giraffe on you again if you had not been there, could they?—A. No, sir; but I just went up there to see that there was a square election; I knew they would not give it unless they were watched.

Q. By people from Pike County?—A. Or anywheres; they will all bear watching.

Q. You think that the people of that part of Copiah County could not conduct a fair election unless you were there?—A. I was interested in Copiah myself, not that I own land there, but I consider that my permanent home.

Q. You do not vote there?—A. No, sir.

Q. You are not registered up there?—A. Well, I was at one time.

Q. But not now?—A. Not now; no, sir.

Q. You could not have voted at that poll?—A. No, sir.

Q. Did you not go there for the purpose of trying to stir up a riot?—A. I did not.

Q. Did you not think your efforts might have that effect?—A. I went up there unarmed, without even a pocket knife, and you know a man don't want to raise a fuss when he is unarmed.

Q. Are you in the habit of carrying arms?—A. Yes, sir.

Q. But you left yours at home on this occasion?—A. Yes, sir; from the simple fact that I had none to carry.

Q. Did you not own any when you went to Hazlehurst?—A. No, I did not. When I went up there on Sunday I borrowed a six-shooter, and I would not go to Hazlehurst hereafter without one, either.

Q. Do you not carry one at home?—A. I do not; I don't own a weapon of any kind; if I carry one I borrow it.

Q. Are you sure you were living in Copiah at the previous election, when you say they got the giraffe on you?—A. That was two years previous.

Q. Were you a voter in Copiah then?—A. I was; I was there practicing dentistry. Wessen was my voting precinct; I was not there at that box, though I was in the same beat.

Q. The law requires you to vote in the same beat where you reside, does it not?—A. Yes, sir.

Q. Then you threw away your vote at two successive elections by going to another precinct?—A. Yes, sir; that is just what I did.

Q. Have you ever been engaged in any personal difficulties in Hazlehurst?—Oh, yes; I have a little twist occasionally.

Q. You carry arms occasionally?—A. Oh, yes, I do sometimes.

Q. Did you ever have a difficulty with Mr. Thompson, of Brookhaven?—A. I never did.

Q. Were you ever concerned in one which he had?—A. Yes, sir; I was.

Q. With whom was that?—A. With J. P. Matthews and R. H. Thompson.

Q. What were the circumstances?—A. The nature of that case was this: Mr. Thompson had made assertions that was false in regard to J. P. Matthews. Mr. Thompson came up to Hazlehurst, and Mr. Matthews called upon him to see about it, and he would not acknowledge it and would not deny it, and Matthews struck him and they clinched.

Q. On that occasion did you not go out and get Mr. Thompson and tell him that somebody wanted to see him, and conduct him to where Matthews was?—A. I did not.

Q. Where did the altercation take place?—A. In the office of the Copiahan.

Q. Mr. J. P. Matthews brought Mr. Thompson there?—A. Yes, sir; so as to produce a copy of the Copiahan. The article was published in that paper.

Q. Mr. J. P. Matthews then struck him, did he?—A. He did, when Mr. Thompson wouldn't retract.

Q. What did you do on that occasion?—A. I didn't take any part in the fracas. I just held the door.

Q. Did you interfere in a fight with anybody else?—A. I did not. There was two parties who came in to interfere—Colonel Vance, who was editor of the Copiahan, and a cub of his also. Colonel Vance was going to interfere, but I took him by the shoulder and says, "Colonel, you are too old a man to mix up in personal affrays, and this does not concern you; they are both little men, let them have a little twist, it will do them both good, they can't hurt each other much, and it will probably do them good." Then Johnson run up to interfere, and I shoved him back. He still persisted in taking hold, and then I whipped out my pocket-knife and says, "The first God damned son of a bitch that puts his hand on him I will cut him open. This don't concern you; it is a free fight."

Q. You undertook to keep the people back so they could not separate these men that were fighting?—A. I kept Johnson back; his intention was to hit Matthews and to help Thompson. I merely spoke to Mr. Vance, and he considered the matter and went about his business. He had fine judgment enough to see his position, for he had acted on the spur of the moment.

Q. You called upon them to keep away from your knife while Matthews should beat Thompson?—A. I thought Mr. Thompson was about as well able to take care of himself as Mr. Matthews, and that Mr. Matthews was about as well able to take care of himself as Thompson, and I just didn't object to seeing a little twist occasionally; it was right interesting some times.

Q. Did Thompson make any fight at all?—A. No, sir.

Q. Mr. Matthews was at liberty to pummel Thompson as he pleased while you kept the crowd off?—A. Matthews struck him twice, but was too much of a gentleman to hit him any more when he wouldn't resent, and said, "Go thy way rejoicing, and sin no more."

By Mr. FRYE:

Q. Used no weapons?—A. None, sir.

Mr. JONAS. You used one.

By Mr. CAMERON:

Q. When did that affray occur?—A. I think it was two years previous to this last election. I won't be positive. There is the weapon I used [exhibiting a pocket-knife].

By Mr. JONAS:

Q. Have you ever had any other political controversies of a heated character?—A. Yes, sir; with H. Conn.

Q. Did you attack him?—A. Yes, sir.

Q. Did you strike him?—A I did not.

Q. You had a weapon?—A. I had not.

Q. Where was that?—A. In front of Mr. Klotz's store.

Q. Was that a political discussion?—A. He charged me with something that I knew nothing about. It was two years previous to the last election. Mr. Conn made the assertion that J. P. Matthews took possession of the registration books at the court-house, with his body-guard. Somebody wanted to know who his body-guard was. I didn't care for his body-guard; my sympathy in that case was with Print Matthews; I would have supported him under any circumstances; I demanded an explanation of Conn, and he didn't talk to suit me; and so I used some very unpleasant language to the gentleman, and told him if he didn't like it, just to jerk his dry-goods and I would entertain him a while out on the street.

By Mr. SAULSBURY:

Q. You say as you came in on the day of election, you were met by a negro?—A. Yes, sir.

Q. Your informant was a negro man?—A. Yes, sir; and a good man.

Q. You knew nothing personally of any persons having any special ill-feeling against you?—A. They all hated me because I was a friend to Print Matthews.

Q. You had no knowledge, except from the hearsay of this negro, that there was any designs to injure you, had you?—A. No, sir.

By Mr. JONAS:

Q. Print Matthews was not popular in town?—A. He was the most popular man in the county.

Q. You said everybody hated you because you were a friend of his?—A. Why? Because he was the bright light of the republican party.

Q. They all hated you, and yet they all respected him?—A. They hated him politically, but they all admired him as a good man and a religious man, and you might say a righteous man.

By Mr. SAULSBURY:

Q. He would fight if anybody insulted him?—A. He just came from that stock; he couldn't help that; that was a legacy that was handed down to him from his forefathers. It is a mighty poor dog that won't bite when his tail is mashed.

GEORGE B. HAMILTON sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In the town of Hazlehurst.

Q. How long have you lived in Hazelhurst?—A. Twenty-five years.

Q. Were you born in Mississippi?—A. Yes, sir; I was born in Lawrence County.

Q. Had you any position at this last election?—A. I was clerk of the election.

Q. What was the duty of the clerk of the election?—A. To keep a record of the votes.

Q. What did you have to vote in—boxes?—A. Yes, sir; as usual.

Q. Who had charge of the boxes?—A. The inspectors.

Q. Suppose I wanted to vote, what would take place?—A. You would hand your vote to the inspector.

Q. Then would my name be called?—A. Yes, sir.

Q. And he would take the vote?—A. The inspector would take the vote, put it in the box, and the two clerks would set down the voter's name.

Q. Who was the other clerk at Hazlehurst at that time?—A. Captain Birch, I don't know what his initials are.

Q. What time did you go to the voting place in the morning?—A. About eight or half-past eight.

Q. How long after that did J. P. Matthews come in?—A. No great while. We were in the house; it was a house under repairs, and lumber and shavings were all over it, and we had to clean it up and arrange it so as to have a place for a table to write on.

Q. Who were there at that time?—A. Half a dozen, perhaps; all the clerks, managers, and inspectors, and may be one or two more; I don't recollect.

Q. Did you see Ras. Wheeler?—A. I did.

Q. Was he there at that time?—A. Yes, sir.

Q. Did he have a gun?—A. I didn't see any gun in his hand.

Q. What did Mr. Matthews do when he came in?—A. He stood around and talked.

Q. With whom did he talk?—A. With them all; with Mr. Wheeler.

Q. Ras. Wheeler?—A. Yes, sir; Wheeler was the last man that I saw him talking with.

Q. Did you hear what was said?—A. No, sir.

Q. What did he do after he got through talking with Ras. Wheeler?—A. About that time we were ready for business; the polls were opened and orders were given for every one to get out of the house except those who had business, and the doors were closed. Mr. Matthews was in there, and he says "As I am in here, I will vote before I go out."

Q. Did he go up to vote?—A. Yes, sir.

Q. Did he offer his vote?—A. Yes, sir; he tendered his vote, and it was received.

Q. Then what happened?—A. He was shot down.

Q. What did you see?—A. I saw him fall.

Q. As he fell, what was he in the act of doing?—A. He had just voted and stepped back from the table, and was standing right still.

Q. Did he have any weapons?—A. If he had I didn't see them until further along.

Q. Were you looking right at him when he was shot?—A. I was like I am with reference to you now.

Q. How far was he from you?—A. About as far as from me to you

[six or eight feet], and facing him, just like you are facing me now. I was fixing my papers, standing up at the time, hadn't taken any seat, and when Mr. Matthews handed his vote in and he stepped back, I was looking him in the face and was just going to sit down myself when he was shot down.

Q. What did you see after that?—A. I went around and looked at him; he was lying there.

Q. Was there smoke in the room?—A. Yes, sir.

Q. When the smoke arose whom did you see?—A. All the clerks and inspectors, and Mr. Wheeler.

Q. Did Wheeler have a gun then?—A. Yes, sir; he had a gun.

Q. What was he doing with it?—A. I saw him unbreech it and take out the cartridges and reload it, and then he went out.

Q. How far was he standing from Mr. Matthews?—A. Eighteen feet. I measured it myself with a square. Mr. Wheeler was standing there behind me, and Mr. Matthews about like you are from me.

Q. Where did the shot enter Matthews's person?—A. Somewhere about here [pointing to the breast].

Q. Did you see the shot taken out afterwards?—A. No, sir; I didn't see him stripped. After I helped get him out of doors and started towards home I didn't see him any more until he was laid out. I went down to his house and saw him after he was laid out.

Q. Were you the Democratic sheriff?—A. I was at that time.

Q. Do you know whether or not J. Print. Matthews was agreed upon by the Independents as challenger at that polling place?—A. He was appointed challenger while he was in the house; him and Wheeler was the two challengers. I think they made him a challenger after the order was given to get out of the house everybody that didn't have any business, and to receive one vote at a time, and have the voters pass on through; but as he happened to be in he remarked, "As I am in here, I will vote."

Q. As I understand you, you were acting as clerk, standing on that side of this table, for instance?—A. Yes, sir.

Q. And Mr. Matthews was standing on this side?—A. Yes, sir; just as you are to me; just the same position.

Q. And Ras. Wheeler was behind you?—A. Yes, sir; and Mr. Matthews was standing a little quartering. The table ran across that way, and I was on the other side, and he was standing a little quartering to Mr. Wheeler, about like I am to you.

Q. Was there any bitter or angry talk between Wheeler and Print Matthews?—A. If there was I didn't hear it.

Q. No loud talk?—A. No, sir.

Q. An ordinary conversation, in an ordinary tone?—A. No, sir; they had a little private talk, sort of, in that end of the house while we were fixing the counter, and waiting for time to open the polls; I was right close to them at one time, but I didn't listen to them.

Q. There was nothing about the conversation which attracted your attention?—A. No, sir.

Q. Was not Mr. Print Matthews in good spirits that morning?—A. As far as I know; I saw nothing out of the way but what he was in good spirits.

Q. Was there anybody else in the room with a gun, except Wheeler, that you saw?—A. After he was shot down there came in a man with a gun.

Q. But I mean before he was shot?—A. No, sir; no other man.

Q. Leon Matthews or somebody testified, I do not know whether in

your presence or not, that when Print Matthews was taken up from the floor, after he was killed, there was a pistol under him.—A. I reckon about the time that he was dead they bursted the front door open and came to where he was lying, and on the opposite side from me I saw a man stoop down and pick up a pistol right by his side, but I couldn't see that it was a pistol until he reached down and picked it up, because it was on the opposite side from me; I saw him pick it up from right up close to him—touching him; I saw that myself.

Q. Do you know who the man was who picked that up?—A. Yes, sir.

Q. Who was it?—A. They called him Maginnis; I don't know his name; everybody about town knows him; he is a machinist or workman.

By Mr. SAULSBURY:

Q. At that time how many persons were in that room?—A. Two clerks, two inspectors, I believe, and two challengers; the challengers were Mr. Matthews and Mr. Wheeler.

Q. Then all persons present were the election officers and the challengers?—A. That is all.

Q. No person else there?—A. No, sir.

Q. No brother of Mr. Wheeler was present?—A. No person else.

Q. No person present aiding or abetting and encouraging Mr. Wheeler to do this thing?—A. No, sir.

Q. Has he not a brother living in town there?—A. Yes, sir.

Q. Has he not a son-in-law?—A. Yes, sir.

Q. They were not present?—A. No, sir; not in the house; if they were out around about the house I did not know it; I didn't see any only what was in the house; I was in the house.

Q. You saw Mr. Matthews and Mr. Wheeler in conversation, but do not know what it was?—A. Yes, sir; I don't know what it was, but I saw them in conversation myself.

Q. You do not know whether there was any unpleasant feeling in that conversation between them?—A. No, sir; I saw nothing to that effect.

Q. You did not hear any of it?—A. No, sir; I didn't hear a word spoken.

Q. After he was dead you saw a man pick up a pistol at his side?—A. Yes, sir, I did.

Q. You have been acting for some time as inspector of elections at that place, have you not?—A. Occasionally I do, and sometimes I do not; I believe I was clerk at that, the last election.

Q. Who was the other clerk?—A. Captain Birch, they call him.

Q. Is he a Democrat?—A. Yes, sir.

Q. Was he appointed by the Democrats as their clerk?—A. I reckon so; I don't know who he was appointed by.

Q. Who selected you as clerk?—A. I believe Mr. Wheeler did; it was Richard Coxwell or Wheeler; Coxwell was inspector, I believe; he was the man who received the votes and put them in the box.

Q. Have you not usually been appointed at elections as one of the officers to represent the Republican party?—A. Sometimes, I believe. I have.

Q. What ticket do you vote?—A. I generally vote for the man that suits me.

Q. Are you not regarded in that community as a Republican?—A. I don't know, sir, whether they regard me as a Republican in that community or not.

Q. Do you profess to be a Democrat at all?—A. I vote for some Republicans, and some Democrats, or Independents, just as I please.

Q. Did you ever profess to be a Democrat in your life?—A. Yes, sir, I did.

Q. Since the war, I mean?—A. Yes, sir, I have; since the war, too.

By the CHAIRMAN:

Q. Did you ever hear Erastus Wheeler say anything about this matter since it happened?—A. No, sir; nothing more than speaking of, sometimes, I don't recollect what—speaking of a little about—mention something about a little thing that had reference to it, or something to that amount.

Q. Did you hear him say anything about it at that time before you left the room?—A. He bustled about and said something; I don't recollect what he said.

Q. Did he say that he had it to do, or anything of the kind?—A. I don't recollect hearing him say that; if he said it I don't recollect it.

Q. You say he bustled about there; what do you mean by that?—A. After the gun fired, I saw him with his gun in his hand, and saw him unbreech it and take out the cartridges and put two more back, reloaded her, and he went out the front door with it.

Q. Did you go out?—A. Not immediately; I staid in some time.

Q. Was he seized by the persons who came in?—A. No, sir; by that time the door was opened, and there came in a whole crowd, and Mr. Matthews's brothers and wife and daughters and friends and relatives, and I heard somebody say, "Go immediately up to the sheriff and give yourself up." He said, "Well, I will."

Q. Was that said to Wheeler?—A. Yes, sir; he said, "Let me get out of here, and I will go to the sheriff."

Q. He said that to whom?—A. I don't recollect who, now; I was under such excitement at that time that I don't recollect.

Q. Who was the man who came in with the gun just after the shooting?—A. Mr. Rube Morrison, I believe; I think he came in at the back door where the voters went out, and then went out the front door with Wheeler.

By Mr. CAMERON:

Q. Is Morrison a Republican?—A. A Democrat, I believe; he is Wheeler's son-in-law.

By the CHAIRMAN:

Q. He also had a gun?—A. Yes, sir; he came in with a gun after this happened; he was not in the house when it took place.

Q. Were there many then with guns about town on election day?—A. That is all I saw.

Q. During the whole day?—A. Yes, sir; all that I recollect. I did not notice because I was clerk, and staid in there until 8 or 9 o'clock that night before we made up the election returns and sealed them up and carried them to the court-house. I reckon it was somewhere along about 8 or half past 8 o'clock.

By Mr. CAMERON:

Q. Who acted as Republican challenger after Matthews was murdered?—A. I don't know that he acted as Republican challenger; I believe that William Welch came in as one of the inspectors in Bankston's place.

Q. Who was the Republican challenger?—A. Matthews was

Q. But after he was murdered, who then acted as Republican challenger?—A. No one as I know of.

Q. And who acted as challenger in Wheeler's place?—A. There was a shifting around after the murder taken place, but I don't remember, hardly; Mr. Birch was clerk, and I believe he was one of the challengers afterwards, and Bankston and me were clerks. No, Birch was one of the inspectors. No, he wasn't; he was a clerk. I hardly know now.

By Mr. FRYE:

Q. Did Wheeler come back again?—A. No, sir.

Q. Can you tell how that vote stood at that polling place that day?

By Mr. CAMERON:

Q. As between the two parties?—A. No, sir; I can't now.

By Mr. FRYE:

Q. Do you not know how many Independent votes were thrown?—A. No, sir; I don't recollect.

Q. The Democrats carried the poll I suppose?—A. Yes, sir.

By Mr. SAULSBURY:

Q. You say that Mr. Matthews and Mr. Wheeler were challengers?—A. Yes, sir.

Q. Who appointed Mr. Wheeler a challenger?—A. I don't know.

Q. Who appointed Mr. Matthews?—A. I think the house did; we elected one challenger when we all came together, and I think Mr. Wheeler spoke of Mr. Matthews being one, and he agreed to it, and we all agreed to it.

Q. You say there was nobody in but the election officers and these two gentlemen, Mr. Wheeler and Mr. Matthews?—A. That is all.

Q. Where does the challenger stay, in the room or outside?

The WITNESS. During the election?

Mr. SAULSBURY. Yes.

A. They stay inside.

Q. You say Mr. Matthews wanted to vote before he went out?—A. That was before he was taken as challenger, I think.

Q. And you say he was shot down as soon as he voted?—A. Yes, sir.

Q. Why did he want to get out of the house if he was challenger?—A. He was taken as challenger before he voted, I recollect, because the orders were given for everybody to get out of the house except those who had business, and he says "Well, as I am in here, I will vote before I go out."

Q. Why did he want to go out if he was challenger? That is what I want.—A. I don't recollect. I am not telling that exactly straight because I don't recollect; I don't think I am; he was taken as challenger some time, and I think it was before he voted.

Q. You do not know by whom he was selected nor by whom Mr. Wheeler was selected?—A. No, sir.

Q. Did they appoint themselves?—A. I don't know whether they appointed themselves or not. I went up there to the polls before they got ready, and Mr. Wheeler said to me, "Will you act as clerk to-day?" I said "Yes," and he said, "Come in." Mr. Wheeler seemed to be managing around and getting up the clerks, and starting the election ready for voting when the polls were opened.

By Mr. CAMERON:

Q. Was Matthews the first man who voted?—A. Yes, sir; Matthews was the first man that voted.

JAMES MARION MATTHEWS sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. Copiah County.

Q. What part of it?—A. In the southwestern part.

Q. How far from Hazlehurst?—A. Some 14 or 15 miles.

Q. What is your business?—A. Farmer.

Q. Have you tenants?— A. Yes, sir.

Q. How many had you?—A. I did have seven families of free labor; besides I am contractor for four counties for convict labor.

Q. You are a brother of Print Matthews?—A. Yes, sir.

Q. What was your voting place?—A. Centennial, beat 3.

Q. Were you there on election day?—A. Yes, sir.

Q. Was there any trouble at that poll?—A. No, sir; not very much in the morning; I left there about 11 o'clock.

Q. Where did you go when you left at 11 o'clock?—A. To Hazlehurst

Q. What did you see going on there?

The WITNESS. You mean at Centennial?

Mr. FRYE. No, at Hazlehurst.

A. About 11 o'clock they came to let me know that my brother was killed, and I went home and got my family and started for Hazlehurst. On the road to Hazlehurst I met some 12 to 15 men; we came very near meeting where the Brownsville road comes into Natchez and Liberty road. I saw twenty-five to thirty men pass on with arms. We still went on toward Hazlehurst, and they kept notifying me along the road that they had heard those men say that they would kill me if I entered the town. I was notified four miles from town that they heard those men say if they met me they would kill me that evening. I went on into Hazlehurst. Before I got there I kept meeting three or four men in a squad; at one time I met six going on down the road. I went on into Hazlehurst and got within about thirty steps, I suppose, of the main street leading by the court-house, and there were some 150 men, may be not so many—I taken them to be about that many—and as soon as they saw who I was they presented arms up in this way [illustrating]. They never shot, or anything, but just presented arms in that way, and held their guns in that way until I drove by and turned down in the opposite direction to my brother's.

Q. How many of those different squads did you meet?—A. I think about four.

Q. Were all of them mounted?—A. Yes, sir.

Q. All of them armed?—A. Yes, sir.

Q. With what?—A. Shotguns; I think most of them had shotguns; probably some of them had Enfield rifles among them, or needle-guns.

Q. What else did you see that day—anything?—A. I staid pretty close around. I saw men all over town with guns, patrolling up and down; they would fire the cannon off and cheer, and the band would play; that is, when they would hear from places outside, I suppose, or something of the sort. It went on so until that night, and about dark some twelve or fifteen armed men came right to the railroad—my brother's house, I suppose, is thirty steps from the railroad—and got right opposite my brother's; we were sitting up there; the commanders commanded them to halt; they stopped there, and of all the language you ever heard used they used.

Q. Vile and profane?—A. Yes, sir.

Q. Had you heard anything of this nring, and all that sort of thing,

going on in the country for two or three weeks before the election?—A. Yes, sir.

Q. What effect had it upon the colored people?—A. They were all out in the woods, and were demoralized generally.

Q. Did many of them, to your knowledge, sleep at home?—A. No, sir; I don't think they did; the country was just in an uproar.

Q. How long had that continued?—A. For about a week, I think; hardly so long; until the election. They commenced a regular bulldozing, I think, on Thursday or Friday night.

Q. The bulldozing before that had been irregular?—A. Yes, sir.

Q. They were riding about all the time?—A. Yes, sir; night and day.

Q. Scouring over the country?—A. Yes, sir.

Q. How large a county is Copiah?

The WITNESS. Do you mean the population?

Mr. FRYE. You may state the population first.

A. I think there is about three thousand voters, probably.

Mr. FRYE. About five thousand voters; you are mistaken.

Q. Is it large territorially?—A. Yes, sir.

Q. Colored men scattered all over it?—A. Colored men scattered all over it.

Q. The labor of the county is done by them?—A. Most of it; there is a good deal of white labor.

Q. It is a farming county rather than anything else, is it?—A. Yes, sir.

Q. Any manufacturing in it, except at Wessen?—A. No, sir; none except at Wessen.

Q. There is only one factory at Wessen?—A. That is all at present.

By the CHAIRMAN:

Q. What do they make there?—A. Cotton cloth and woolen yarns of all descriptions, and such as that.

By Mr. FRYE:

Q. Do you remember what the vote was at Centennial precinct, say a year ago, as between the parties?—A. I think we got about 180 votes to their 50.

Q. How did it stand this year?—A. When I left there there was 136 votes polled, and there was 35 of those white, and 6 straightout Independent white votes, and 2 scratched; that made 8 of the white votes.

Q. How much was the whole Independent vote thrown this year?—A. This year 136 votes was polled up to the time I left.

Q. Independent votes?—A. Oh, no; there was 35 of those white; they were all colored except 35.

The CHAIRMAN. He means Republican and Democratic, both.

The WITNESS. One hundred and thirty-six included the whole vote.

Q. Now, what portion of the 136 was Independent?—A. One hundred and twenty-six, I think.

Q. All the vote but 10 was Independent?—A. No, sir; I am mistaken about that; there were 2 colored votes and 35 whites; 8 of those whites was Independent votes; 6 off would leave 29.

Q. How many Democratic votes were there?—A. Twenty-nine.

Q. Do you know how the vote stood at Centennial? How was it counted this last year?—A. They gave us 24 Republican or Independent.

By Mr. JONAS:

Q. Votes or majority?—A. Votes.

By Mr. FRYE:

Q. How many did they give the Democrats?—A. All the balance; I never paid any attention to only just what we got.

Q. You left at 11 o'clock, and when you left it stood as you say?—A. Yes, sir.

Q. But when it was counted you had 24 votes and they had all the rest?—A. Yes, sir. They adjourned and went two miles to dinner, after I left, and carried the box with them for the purpose of stuffing it.

Q. They did not do the counting until after dinner?—A. They knew how it stood, of course, but that is the way they brought it back.

Q. Were you an inspector at that box in 1881?—A. Yes, sir.

Q. How did the votes stand then in that precinct?—A. A large majority Republican; I think there was about 100 majority there; perhaps more than that.

Q. Of course you knew Mr. Print Matthews well?—A. Yes, sir.

Q. Did you know Ras. Wheeler?—A. Yes, sir.

Q. What kind of a man was Print Matthews in that community?—A. Well, to lay down politics, he was a man well thought of; everybody respected him and thought well of him; but as far as politics went they didn't like his politics.

Q. Was he liberal?—A. Yes, sir.

Q. Well off?—A. Yes, sir.

Q. Charitable?—A. Yes, sir.

Q. Was his house an open house; did he have many visitors?—A. Yes, sir; more than any other man in that county.

Q. Do you know what his disposition was towards the churches and school-houses?—A. He gave $100, I think, just before he was killed, to a Catholic church there that had been started; I heard them say so; they had but a few members there.

Q. Was he in the habit of giving to all the churches?—A. Yes, sir; he gave to all the churches.

Q. What church did Mr. Matthews's family belong to?—A. The Methodist church.

Q. What, since the election, has taken place touching your tenants?—A. They have run every one off; they have run off niggers I have had for seventeen years. Since the election they came and fired into their houses; shot into their houses and stampeded them, and I can't get a hand on that account.

Q. How often have they been there firing into the houses? Do you know?—A. They only shot into the houses one time. They came along the road there; there is a public road runs through my plantation, and they have been by there shooting; they only fired into the houses one time. They gave them notice to leave, and there was one family that was rather slow about getting off; in fact they thought maybe everything would blow over, and they would stop that, but parties came by and fired into his house; that was the only house that was shot into; the other hands had left.

Q. How long since the election have those occurrences been taking place?—A. About a month—just before Christmas.

Q. Did I understand you to say that they had driven off all of them?—A. Yes, sir.

Q. Have you been able to get others in their places?—A. No, sir.

Q. Do you know what has become of those they drove off?—A. Yes, sir.

Q. Can you not get them back?—A. I could get them back if they would not run them off. I have bought tickets to Kansas for some of

them. There is eight of them gone to Kansas. I couldn't get those back.

Q. You furnished them the money to go to Kansas?—A. Yes, sir.

Q. Driven off by these operations?—A. Yes, sir. Some of the others live there in the county. I could get them back to-night if they were assured that they would not be bothered.

Q. How large a place have you?—A. Between 500 and 600 acres open land; 1,400 acres in the whole tract.

Q. What do you raise?—A. Corn, potatoes, and cotton—cotton mostly.

Q. Do you know why they will not allow you to keep your help?—A. I think it is because I am a Republican. I don't see any other cause.

Q. Have you had any trouble with those people outside of politics?—A. No, sir.

Q. You have not been so active in politics as Print was, have you?—A. I always did my duty, I thought. I was always ready to vote when I had an opportunity to vote.

Q. Have they given you any notice to quit?—A. They have not directly, but they have indirectly. I was told that I shouldn't live there, that I would be killed, and all those sort of things; that I had better get away.

Q. Have you had any personal difficulty with them in any way?—A. No, sir.

Q. Simply because you do not agree with them in politics?—A. That is all. I don't think any one had anything in the world against me, except one man.

Q. Who was that one?—A. His name was Warmoth. I went to a prominent Democratic lawyer in Hazlehurst (I had taken him to be an honest man, and I think he was), when they were running the niggers off, and told him that I would like to live in that country; that I couldn't sell my place for anything, and I would like to stay there, and try to make a living. He told me he was very sorry for me, and he would do all he could for me in the world; and he did try to get up a meeting to suppress those resolutions that were passed, but he couldn't do it. The mob had the power, and he told me that if he was to get up a meeting of that sort the mob would override the citizens, and it would be worse.

Q. Has any of your cotton been burned up since that?—A. My father had his gin burned up.

Q. How far from you does he live?—A. About four miles, to one of his places.

Q. How many places does he own?—A. Two places, of any size.

Q. Have all his tenants been interfered with?—A. Yes, sir.

Q. What has been done; have they been run off?—A. They haven't run all those off; some of them are still there; that is four miles right south of me, just over the line in another county.

Q. Outside of Copiah?—A. Yes, sir.

Q. Was the gin that was burned up in Copiah or not?—A. Just over the line, in Lincoln.

Q. I suppose you do not know who burned it?—A. We suspected, but don't know.

Q. Do you think that was on account of politics?—A. Yes, sir; I think so; it grew out of those resolutions; that was the trouble.

By Mr. JONAS:

Q. What part of the county do you say you live in?—A. Southwestern part; just on the line between Copiah and Lincoln.

Q. Sometimes you live in one county and sometimes in another, do you not?—A. Not often.

Q. Did you ever run for office in Copiah since you have been living there?—A. No, sir.

Q. Did you ever run for office in Lincoln since you have been living there?—A. Yes, sir.

Q. In that same place?—A. Oh, no; I live in Lincoln County.

Q. Did you not move from your house on your place in Copiah to another part of your plantation for the purpose of running for sheriff in that county?—A. I did run for sheriff, and was counted out by one vote.

Q. You still were living in that same place?—A. No, sir; I am living on Black Oak place now, and that is where I was living then.

Q. Did not the two places join?—A. No, sir.

Q. You say you are contractor also for four counties; what are those counties?—A. Copiah, Claiborne, Jefferson, and Adams; but the Claiborne County contract at this time is out.

Q. But at the time of the election and for some years you were contractor for four counties; you took charge of the convicts and worked them where you pleased?—A. Yes, sir.

Q. Did you work them on contracts or on your plantation?—A. I worked some out and some on my plantation.

Q. Were there ever any complaints made against you for cruelty to those convicts?—A. I had one case.

Q. Was there not more than one case?—A. No, sir.

Q. Where was that?—A. That was in Adams County.

Q. Was there any information filed against you?—A. No; it all grew out of the mayor's office there. There was a little paper started there that proposed to elect a man mayor, and they got up a feeling on account of that contract-law in favor of a Republican mayor, and it took with the niggers, and in the meantime they had me reported for cruelty.

Q. Were any proceedings taken in court against you?—A. Yes, sir.

Q. What was the result?—A. I was cleared.

Q. Were you tried?—A. Yes, sir; honorably discharged.

Q. Before the court or a magistrate?—A. Before the supervisor of the county.

Q. Adams County?—A. Yes, sir.

Q. Were no other charges made against you?—A. No, sir.

Q. Have you not been in the habit of voting those convicts?—A. No, sir; I registered them one year.

Q. And voted them, did you not?—A. No, sir; they scratched them off, and while they were scratching them off, they scratched off nearly all the men on my place.

Q. What counties did you register them in?—A. In Copiah.

Q. Although they came from four counties?—A. No, sir; just Copiah.

Q. You registered all the Copiah County convicts?—A. Yes, sir.

Q. Did you not know that the law of Mississippi disfranchises convicts and prevents their voting?—A. It does not.

Q. Did they live in that beat? Was that their permanent home?—A. At that time I supposed it was.

Q. Because you had them there as convicts?—A. Yes, sir. The circuit clerk registers. We had them registered, and then the board of inspectors decide whether they shall scratch them off or not, and they did scratch them off.

By Mr. FRYE:

Q. And in scratching them off they scratched off nearly all your plantation hands?—A. Yes, sir; a good many others.

By Mr. JONAS:

Q. Previous to their scratching them off had you not voted them?—A. No, sir.

Q. You never voted or registered them previously?—A. I don't think I had; I think that is the one time.

Q. You are sure you never voted any of them?—A. No, sir. When I would have a good hand with me and wanted to keep him after his convict time was out, I would hire him and move his family on my place. Then he was no convict after he had served his time out; then I would register him; then he had a right to register and vote.

Q. Were you inspector of the election in 1875 with a man named Thompson, when your brother was running for sheriff?—A. I don't recollect Thompson.

Q. John Robinson is the name.—A. Yes, sir; I think I was.

Q. Did not you and he throw out three election boxes without any reason or excuse whatever, in order to elect your brother sheriff?—A. I think we only threw out two.

By Mr. FRYE:

Q. The question was whether you threw them out without any reason whatsoever. You do not mean to say that?—A. No, sir; because we decided according to the law and the evidence.

By Mr. JONAS:

Q. What did the courts do about the matter?—A. A bill was found againts us in Copiah County; we moved the case to Jackson, and there it was *nolle prossed*, I think.

Q. What did the court do in regard to the sheriff's office? Did it order those boxes to be counted, or not?—A. I think my brother gave it up. Sam Harvey contested his case, and my brother first contested and then threw up and turned over to Martin: but Harvey went on with his case, and it ended in the circuit court; and then they killed Harvey, and of course that knocked the thing out.

By Mr. FRYE:

Q. Then they got it.—A. Yes, sir; they killed Harvey and got it

By Mr. CAMERON:

Q. Harvey was the Republican candidate for circuit court?—A. Yes, sir; and my brother gave up.

By Mr. JONAS:

Q. How came your brother to give up? Had not the chancery court decided against Harvey?—A. No, sir; the circuit court decided for Harvey.

Q. The other candidate for clerk of the court had gained his case against Harvey, had he?—A. No, sir; Harvey had gained his case before the circuit court, I think.

Q. Did your brother give up before he had collected the taxes?—A. I disremember. They generally go out the 1st of January, and the bulk of the taxes is collected by the 1st of January, I think.

Q. Those two boxes you threw out, I suppose, had a Democratic majority in them?—A. One of them had, and one of them hadn't.

Q. Taking the two together, how did the vote stand?—A. I disremember; but I think there was a Democratic majority, if I am not mistaken. It has been a long time ago, but I think that was the result.

Q. You say you have had a good deal of trouble with your labor since the election; did you go Hazlehurst?

Mr. FRYE. He did not say he had had any trouble with his laborers, but that his laborers had been run off.

Mr. JONAS. That is what we call trouble with labor.

The WITNESS. Between me and the laborers there is no trouble.

Q. But the laborers were leaving you?—A. The trouble was not between me and the laborers.

Q. How was the trouble? I have been out of the room during part of your testimony, and did not hear that part.—A. The trouble was between the Democrats and the laborers; they wouldn't let them be with me.

Q. What Democrats were they?—A. The whole country. They even said that a white man should not live——

Q. But "they" is a large word; can you not mention the people?

The CHAIRMAN. What he said was that since the election the laborers have been compelled to leave his land; that the Democrats have fired into their houses, causing them to leave; that one man did not leave at the time they had ordered him to leave, and they fired into his house; and the witness stated further that he had purchased transportation for eight of them to Kansas.

Q. Do you know who did it?—A. If I mistake not this man Frank Davis was captain; I believe they call all that part Beat 3.

Q. Did you ever see any written notice given or did you ever hear of any notice given to any of them?—A. They never gave me notice.

By Mr. SAULSBURY:

Q. How did you find it out?—A. They would tell me.

Q. You have no personal knowledge of it?—A. No, sir; only the shooting into the house; they shot into one house; I know that to be a fact.

By Mr JONAS:

Q. And you say the cotton-gin that was burned was on your father's place, in an adjoining county?—A. Yes, sir.

Q. Do you know who burned that cotton-gin?—A. We suspected.

Q. Whom did you suspect?

Mr. FRYE. That would hardly be competent.

Q. Whom did you have arrested for it?—A. I think I had a right to throw it on the Democrats.

Q. We will discuss that elsewhere; I want to know whom you had arrested.—A. I didn't have any one; we had John Fore arrested.

Q. Was John Fore any relative of Print Matthews's family?—A. His wife was related to John Fore.

Q. He was a nephew of Print Matthews's wife?—A. Yes, sir.

Q. Had he always been a Republican up to the last election?—A. No, sir.

Q. Had he always been a Matthews man and voted for Print Matthews?—A. He has always lived in Lincoln.

Q. Has he never voted in Copiah?—A. I don't think he has. Year before last probably he did live in Copiah, out near the factory, but I don't know whether he voted for my brother or not.

Q. He was the only person that was ever accused of burning the gin, was he?—A. He was the only one that was arrested.

Q. Was anything done with him?—A. The grand jury found a bill.

Q. Has court met since?—A. Yes, sir; the grand jury found a bill, and next morning they ignored it I don't know for what cause. So I have been told; I don't know that to be a fact, for I was not on the grand jury.

Q. What county was that in?—A. Lincoln.

Q. What caused them to make this accusation against John Fore? Was he on bad terms with the family?—A. I think him and my brother had had a little lawsuit.

Q. Shortly before this?—A. Yes, sir.

Q. Had bad feeling resulted from it?—A. Well, they had had a law suit. There was only $25 involved in it.

Q. Are you on good or bad terms with your neighbors?—A. I was on good terms with all except one up to the election; since that time it wouldn't do for me to be on friendly relations with them.

Q. Have you always been on good terms with your neighbors?—A. All except one; yes, sir.

Q. Who is that?—A. Warmoth.

Q. What sort of terms were you on with Frank Thompson?—A. I was on friendly terms with him up to the week before the election. I met him as I was coming down the court-house steps and he was going up, and I gave him my hand to shake hands with him. He refused to shake hands. I asked him the cause of it or something, and he said that he heard I had met at the bridge to assassinate him and some niggers. I remarked to him that when I wanted to kill a damn tory I would do it in the day time, and not in the night. About that time Judge Wharton stepped up and commanded the peace, and that was all we have ever had.

Q. That was a day or two before election day, was it not?—Yes, sir.

Q. Have you ever had any trouble with this man Ras. Wheeler?—A. Yes, sir.

Q. What was the nature of that trouble?—A. I never had heard politics mentioned until it was just after the surrender when Dr. Deason was candidate for the legislature, and I had never taken no stock in politics or nothing of the sort, only that my father had always been an old-line whig, and Deason's name was mentioned, and it was said that he was a radical running for office. I was in old man Wheeler's store, the father of Ras. Wheeler, and I remarked to the old man that I was bound to vote for Deason, and he says, "If you do, you are a radical." I told him I would be bound to be called a radical then; if that was what he called radicalism, I was a radical. He said I could get out of his house; I told him all right, I would get out; I turned my back and started out, and just as I turned around he struck me across the head with a hickory stick.

By the CHAIRMAN:

Q. Who did that, the old man?—Yes, sir; old man Wheeler, the father of Ras. Wheeler. It sort of blinded me, but it didn't knock me down. By the time I could see good, Ras. Wheeler had his pistol out, and as he drew his pistol, I whaled away at him, and he run in the store door, and just as he run in there I whacked on the door facing in striking at him, and then old man Wheeler run back in the store and got his double-barreled shotgun, and Wheeler was shooting at me from behind the door facing with a pistol, and old man Wheeler with a shotgun.

By Mr. SAULSBURY:

Q. That was Ras. Wheeler that was shooting at you behind the door?—A. Yes, sir.

Q. You shot at him?—A. Yes, sir; only one shot.

By Mr. FRYE:

Q. That was when?—A. That was just after the war. We have been perfectly friendly since that. We made friends. He said that it was on account of his father, and I didn't much blame him for that, because I would have been just like him if anybody and my father had fell out and I would have shot at them. But we had made it up and have been on good terms ever since.

By Mr. JONAS:

Q. When these tenants of yours left you, did you go to Hazlehurst and consult Mr. Saxton and Mr. Dodds about it?—A. Yes, sir; I think I did; and several others.

Q. What advice did they give you?—A. Mr. Sexton said he would do all he could for me in his power; that he was sorry for me. [Addressing Mr. Sexton:] You have no objection to my telling?

Mr. SEXTON. No.

The WITNESS. He said that he was sorry for me; that he was opposed to such as that himself, and that he would try to get up a meeting; but George or Lamar, or Congressman Barksdale, or some of those fellows had written to him to get up an indignation meeting on those resolutions, and he was afraid that if he got up the meeting the mob would make it worse than it was at first; that those fellows would argue, "Now you are going back on us before court; you must not go back on us before court," or something to that amount is as near as I can recollect.

Q. Did not Mr. Sexton say to you to come back the next week, that in the meantime he would do what he could, and he would give you an answer?—A. Yes, sir.

Q. And he would go to your plantation, if necessary, and see the tenants and neighbors?—A. Mr. Sexton said that that was wrong, and he would do anything in the world he could for me; I told him I thought if they would have a meeting and send influential men down there to talk to those men, such as that would be stopped; that if it was not stopped they would ruin the country; he seemed to think what I said was a very good idea.

Q. Did he ask you to come back in a few days and he would give you an answer?—A. Yes, sir; he said he would do all he could.

Q. Did you go back and see him?

The WITNESS. In regard to that?

Mr. JONAS. Yes.

A. No, sir.

Q. Was there any further trouble after that?—A. No, sir; they had run them all off.

Q. Were none of them left?—A. I think there was probably two families left.

Q. It stopped their going away, I suppose, at least?—A. No, no; they left after that.

Q. Have you no tenants now?—A. I have only got one man for wages.

Q. Have you no tenants living on your place?—A. No, sir; I have got one guard, a white man, but they have threatened him also.

By the CHAIRMAN:

Q. What was your reason for throwing out the two boxes which were in dispute at that election you have been asked about?—A. We thought it was according to law that we should throw them out, and we got the advice of attorneys.

Q. You took legal advice?—A. Yes, sir.

Q. And acted in accordance with it?—A. Yes, sir.

Q. Do you remember what the objection was to those two boxes?—A. I think it was in regard to the illegality of the votes some way.

Q. Do you not remember what the point was?—A. I think it was something in regard to the tally-sheets, or the count, or the boxes not being locked, or something of the sort; some discrepancy in it.

Q. What was the character of the election of 1875? Somewhere in these papers they say they are going to make 1883 equal to 1875. It was 1875 when you threw out these two boxes, was it not?—A. O, no sir; 1875 was the first time that they ever done any dirty work in the counting, I think.

By Mr. FRYE:

Q. You were running for sheriff in 1875?—A. Yes, sir; they learned how to count about that time.

By the CHAIRMAN:

Q. In regard to those convicts, what is the character of the offenses of which they have been convicted?—A. It is usually for misdemeanors, toting pistols, &c.

Q. Are they, as a rule, what are called infamous crimes?—A. No, sir.

Q. Just petty offenses?—A. Petty offenses.

Q. Such as carrying pistols?—A. Yes, sir.

Q. Are they white men or colored men?—A. Both.

Q. And you say that sometimes they make very good laborers, and you keep them after they have served out their time?—A. Yes, sir. Very often a man will get mad at a nigger and report him for something and have him sent to the county contractor.

Q. For what length of time?—A. It is just owing to the justice of the peace, you know.

Q. One month?—A. One month, or two, or three months.

Q. And it was that class of persons you claimed should register if they belonged in Copiah County?—A. Yes, sir.

JOSEPH B. JONES sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. In Copiah County, State of Mississippi.

Q. How long have you lived there?—A. From infancy; since I was six months old, except three years temporarily out of the State about twenty-five years ago.

Q. What position did you hold last year in Copiah County?—A. In 1883 I was a member of the board of supervisors and president of that board.

Q. Under your law what is the duty of supervisors? Are they like our county commissioners?—A. Yes, sir; the same as county commissioners in other States, and in some States they are called boards of police.

Q. In what part of Copiah County do you live?—A. My domicile proper is in the western part of Copiah County. I have no family at this time; I have lost my wife. I have a domicile twenty miles west of the railroad and own a good deal of land out there. I make that my home, but have spent nearly half my time the last two years in the town of Hazlehurst.

Q. What is your voting place?—A. Heath's Store.
Q. Were you at Heath's Store at the last election?—A. Yes, sir.
Q. Were you a challenger?—A. Yes, sir.
Q. What was the condition of things at Heath's Store precinct on election day?—A. I will commence and state briefly.

By the CHAIRMAN:

Q. What is the size of this county territorially?—A. It is about 34 or 35 miles north and south, and nearly 38 to 40 miles east and west. It was about 40 miles square before. There was a tier of sections taken off since the war and added to Lincoln.

By Mr. FRYE:

Q. What took place at Heath's Store precinct on election day?—A. I arrived there about 9 o'clock in the morning, I suppose, feeling quite unwell. At that time there had been no steps taken towards qualifying the clerks, inspectors, &c. There was a justice of the peace there at that time, and I was requested to swear the inspectors, clerks, and the deputy sheriff, whose duty it was to see that order was preserved there, which I did as soon as I could conveniently. In the meantime, they arranged to hold the election in a little room back of the gallery in front of a store there, which had been weather-boarded up to a kind of a little ware-room in a country store. The polls were opened and everything went on very quietly. I carried some Independent tickets, and I presume carried all the Independent tickets that were carried to that box. If there were ever any others carried to that box I never learned it. The first man I met was a prominent colored man. Being unwell myself, I handed him about half the tickets, and told him to go on and give out the tickets to suit the boys, and if he got out to call upon me. The voting commenced. Everything proceeded quietly for an hour or so—not exceeding one hour, I will say. I had been threatened with the chills, and had a little quinine and whisky, which I had left in my buggy, some distance from the poll. I concluded I would go up there and take a little. I went up there and got some, and on my way back I met another colored man who was generally pretty officious at elections. He saw me coming back to the poll, and came out and met me. I had been standing around inside the polling place, as I had the right to do, as challenger. However, I am a little too fast. When I started up to the buggy—I want to tell what I did, and then what others did and said—I run upon a gentleman, a very zealous Democrat, talking to a colored man. He seemed to be laboring very hard with him, to persuade him not to vote the Independent ticket or any part of it, but if he would vote any part of it, by all means to scratch off the name of Rev. J. W. McNiel, who was one of the candidates for the legislature. His argument seemed to be that as he was a preacher, he had no business dabbling in politics. I halted, and remarked jocularly, that I thought that was a flimsy objection to urge, because he was a preacher; that I thought it would be very well to have some more preachers elected to the legislature. I went on to the buggy and got my whisky and quinine—I hardly know which I wanted the worst—and on my way back I met a boy, who came up and spoke to me. I remarked to him, "Jehu, how is the thing going?" He said, "It is going pretty well, except some of those boys down on Mister Nelson's and George Nelson's place"—two pretty large places below that precinct—"they are scatching tickets." "Who are they scratching?" said I. He said, "The most scratching

that is done is scratching off the candidates for circuit clerk and sheriff." Says he, "Another thing about it, they are marking the tickets; every darky's ticket that they scratch they mark it on the back—make a cross mark, or some kind of a mark. What do you reckon they do it for?" I said, "They must do that in order to watch the ticket when it is counted, to see whether you put it in or not. I suppose every man has got his ticket marked," and, said I, "That is illegal under our statute. Our election law provides that there shall be no mark or device upon a ticket whereby one ticket can be known or distinguished from another except the printing at the head of the ticket. That is very plainly laid down in our election law." He says, "I will go back and tell the boys." I said, "Very well," and was going to walk around some mud, and I stopped to talk with some gentleman—some friend—and another boy came up and asked me, "What is that you said to Jehu?" I said, "I just told Jehu that if you scratch your tickets, not to allow them to be tampered with in any other way except by scratching off the names you want scratched off; if so, you may be liable to have your tickets thrown out." This was a boy who, I have learned afterwards, had voted a green ticket. About that time Mr. George B. Nelson came up and remarked to me, I thought rather abruptly—he and I had always been rather good friends. He began cursing me and J. P. Matthews, with an oath, that he and I had been running beat 4, especially that box down there, about as long as the people were going to stand it, and it had to stop. I tried to explain it. Said I, "I was explaining to the boys what the law was in the matter." "Well," he said, "God damn the law and you too, and Print Matthews"; he said we couldn't run it any longer. By this time I had become a little excited, and had a walking cane in my hand, and I turned around and raised my stick, and really I thought I struck him with it. At that juncture the deputy sheriff, who was appointed to hold the election, and the constable and justice of the peace shoved me, and in a moment the whole crowd were there and all was confusion, hollering and hurrahing for George Nelson. I then walked on up and got upon the gallery and staid there. He tried to get to me, but they got between him and where I was, as I stood on the edge of the gallery. Several on the ground and one or two on the gallery and Mr. Powers said, "Hurrah for George Nelson." The justice of the peace said, "I will have to arrest you" He said, "You can't do it." And they went to cursing and swearing and hurrahing for George Nelson and cursing me and Print Matthews. I never heard anybody cursing me and Print Matthews except Mr. Nelson. Mr. John W. Clark, one of the inspectors sworn in about an hour before that, rushed out of the room where they were holding the election, jumped into the yard and hurrahed for George Nelson. In about half an hour from that time I was advised by friends that I had better go home. Some of my friends personally, and some that I knew were not my friends politically, advised me to go home; that these men were drinking, and they were prepared for hostility.

Q. Were any of them armed?—A. I didn't see any except Mr. Nelson; I had an ordinary pocket knife; but I am satisfied that arms were there; they were sent there.

Q. What time was it when you finally left?—A. I suppose I left between 11 and 12 o'clock.

Q. Did you go back again that day?—A. I did not; I was very unwell, and did not return to the polls. It was about six or seven miles to my home.

Q. What do you know about the condition of affairs in beat 3 for

the two or three weeks previous to the election?—A. I know that there were regular club meetings at Spencer's and Tailholt, in the northern part of district No. 3. There are four precincts—Spencer's, Centennial, Ferguson's, and Tailholt. I rode up one evening about two weeks before the election, to where they had a well by the roadside, between two little cabins, situated one on one side of the road and the other on the other. They seemed to be collected in there and holding consultations. I saw a number of guns, perhaps four or five. What guns I saw were standing about among the trees.

Q. Were their horses there?—A. Oh, yes; some were on foot and some on horseback. I suppose there were thirty or forty persons there, and I think about two-thirds of them were mounted, had horses. I was looking for a young man with whom I had business, and found him there. I didn't halt, only just long enough to speak with him and tell him I wished to speak to him. Several remarked, "Light," "Light." "No," I said, "I wanted to see young man Butler and ask him to walk out to the road." He did so, and I got down off my horse and had some conversation with him about the business. I then got on my horse and rode on home. This was about two miles from home. That was Tuesday evening. On Wednesday evening a neighbor of mine, who was a member of the club, came down to my house, or to my son's—I have a son married, with whom I make my home, on my own place, though—and seemed to be considerably excited. He told me—I have only his word for it; yes, I have this gentleman's word for it, too; I only had his word for it until I saw him—he told me that when I rode up there there was a proposition made by a member of the club to take me off my horse and hang me; and when the matter was brought up they discussed it pro and con, and the majority happened to decide in my favor, for which I feel very grateful, indeed, even now. The next day I saw this gentleman, who was a member of the club. He said he had never met with the club at the regular meetings, and wasn't there at the time, but a member of the club gave him his information and he notified me; and his advice to me was to get out of that neighborhood and stay out, and that has been his advice from that time on until last month. That my life had been threatened. I have heard also from another member of that club that there were three men, a short time before the election, who were elected to take my life on the first opportunity, and that they were going to kill out, not only me, but J. T. Matthews and others.

Q. Was that company of men scouring about through beat 3 at any time before the election?—A. They were riding several weeks; that is, I didn't see them, but I heard their guns frequently; I heard the cannon all day Sunday. On Sunday before the election I traveled from Hazlehurst twenty miles in the country. I don't remember that I heard the cannon that day until about 12 o'clock in the day, but from that time on till dark I heard it frequently; I am satisfied I heard it as much as five or six times in the extreme southwestern portion of the county; I was going in a westerly direction, but the cannon was firing in the southwestern portion of the county; and that night they traversed the country through the southwestern part, and went on into Hazlehurst the next day.

Q. Mounted and armed?—A. Mounted and armed with guns and pistols.

Q. What was the effect of that upon the colored men throughout that section of the country?—A. It was totally demoralizing; they were panic-stricken; there was a reign of terror through the neighborhood; negro men and women and children were in the woods. That was the

state of affairs. Tom Wallis was killed Friday morning, and the next Tuesday week was the election; and from within a day or two of the killing of Tom Wallis there were very few negro men to be seen at home, unless it was some decrepit old fellow or old woman; I mean at night.

By the CHAIRMAN:

Q. I would like to ask whether there could have been any other reason or motive given for those proceedings except that they were a means of carrying the county of Copiah by the Democrats?—A. I never heard any other; I have heard it intimated or asserted; that was when I heard of the killing of Mr. Matthews and heard Mr. Wheeler spoken of.

Q. I speak of the time up to the election; the killing of Matthews occurred on election day; whether the terror of the people was because of their fear because they were Republicans?—A. Every white man and negro man in the county was in terror to a greater or less extent, every one who proposed to vote the Independent or Republican ticket. The Independent ticket, as the committee has already learned, was composed of those who would vote any other ticket than the Democratic or Bourbon ticket.

By Mr. FRYE:

Q. Do you remember what the vote was in Centennial precinct in 1881?—A. My recollection is that along about that time and up to the last election I paid less attention to election matters than any election that has been held in the county, I reckon, for twenty-five years, for the very reason that I didn't consider it anything but a farce. I never scrutinized the returns. My recollection is that the Republican majority in 1882 was almost—there were not as many Independent Democrats at that time as there were this last fall—the majority exceeded a little over one hundred in that precinct.

Q. Do you know how it was counted this year?—A. I understand about 24 or 25.

Q. And all the rest Democrats?—A. All the rest Democrats.

Q. Has beat 3 always been Republican?—A. Yes, sir.

Q Largely so?—A. Yes, sir.

Q. Do you know about what proportion?—A. I think from 150 to 200.

Q. Republican majority?—A. Yes, sir.

Q. Do you know how it was counted this year?—A. It has gone over just that far the other way. They have all got mighty Democratic.

Q. Did they give the Republicans more than 100 votes in the whole beat?—A. No, sir; they did not. There was only about 8 counted at Tail Holt, where it was pretty close in 1881; and this year the Independents would have beaten them 25 or 30 votes very handsomely if they had had a fair election. I don't remember how it was at Ferguson's.

Q. How many did they give the Independents at Tail Holt this year?—A. Only 8 or 11; I didn't look at it. This is only what I heard them talk about.

Q. How has the vote of the county stood generally prior to this election?—A. Well, sir, it has been pretty close heretofore. The Independents and Republicans claimed the election of 1881, and there has never been a doubt in my mind but what the county ticket was elected probably with the exception of one or two representatives. I think it is pretty generally conceded, even by the Democrats themselves; I have heard them frankly confess it.

Q. How did the party stand a fortnight before the election in that county?—A. We were 300 strong at the lowest calculation.

Q. You had received strength from the Democrats?—A. We were from 300 to 500 strong, and our strength was gathered from the Democrats, because there is not much change in the darky. The darky, as a general thing, is Republican. A few colored men have always voted the Democratic ticket.

Q. How did the registration stand as between the colored and white?—A. I never scrutinized the books.

Q. What is your recollection of the proportion of colored and white?—A. It is pretty close. I think it is conceded that the colored vote is in the majority by 50 to 100 anyhow.

Q. How many white men do you think there were in Copiah this last year—Republicans, Democrats, and Independents?—A. I should say 300 or 400 white men.

Q. Do you know as a matter of fact how the vote was actually counted in this last election?

The WITNESS. In what manner?

Mr. FRYE. No, the result.

A. No, sir, I don't; I have never looked into it; I have seen it in the papers.

Q. The Democrats had over 2,000 majority, had they not?—A. That is what I heard them say; 1,900 or 2,000 majority. I don't believe I ever looked over the figures. I know I was very unwell.

Q. Beat 2 was Democratic beat always, was it not?—A. Yes, sir.

Q. The one that the resolution said had hitherto borne the banner?—A. Yes, sir.

Q. This was the first time that beat 3 had won the banner which was given by the resolution?—A. Yes, sir.

Q. Did you know Mr. J. P. Matthews well?—A. I knew him, I may say, from infancy up, except about three years I lived in Louisiana and lost sight of him. He was but a youth then, and went to school to me when he was about ten years old.

Q. What kind of a man was he?

The WITNESS. In what respect?

Mr. FRYE. As a citizen.

A. As a citizen there was none better.

Q. What was his character? Was he peaceable or otherwise?—A. He was a peaceable, law-abiding citizen. He was a man who would resent an insult, although physically he was a weakly man and a cripple, but he was high-strung, proud, and ambitious.

Q. Generous?—A. He was generous almost to a fault.

Q. Charitable?—A. Charitable.

Q. Contributing to all the churches and schools?—A. It has always been my understanding that he was one of the most generous contributors to charities of all kinds, and among the most liberal men in the county.

Q. Was he a man of means?—A. Yes, sir; of considerable means; a man that could always command means, and for the last fifteen or twenty years was a man of means.

Q. Did he have a reputation for being quarrelsome?—A. Not at all.

Q. Do you know on what terms he was with the people of Hazlehurst?—A. The little fight between him and Thompson which I heard mentioned here to-day was the only one I ever heard of.

Q. Do you know what were the habits of people about visiting him? Did he keep open house?—A. I suppose he entertained more company

than any two families in the county; I have no doubt of it—expended more hospitality. He lavished his hospitality upon his friends. His house was always open to his friends and customers, and when his friends would come into town from the country to transact mercantile business their teams were often put in his buggy lot, and stables, and barns.

Q. Did you ever hear any complaint made against him in Hazlehurst, except that he was a Republican?—A. I have heard complaints made against him, but not well-grounded complaints.

Q. Are you aware that he did anything unpleasant to the people in Hazlehurst, except that he was a politician?—A. No, sir; I couldn't point to a single act of that kind.

Q. Did you hear any speeches that he made this year?—A. Yes, sir; I heard him make one speech.

Q. What was the nature of that? Was there anything incendiary in it?—A. No, sir.

Q. Was there anything calculated to array the blacks against the whites?—A. Not at all.

By the CHAIRMAN:

Q. What were the general subjects of arguments he used in Republican speeches during that election, State matters or national?—A. He generally arraigned the Democratic party and undertook to show up their short-comings, their misdoings, wherein the legislature had done wrong, and the maladministration of county affairs, &c., &c., as any other ordinary man would. He was rather zealous and vehement in making a speech; he would become excited.

Q. Did he use personalities against the Democrats?—A. Oh, no, sir; I don't know that I ever heard him use personalities. I have heard him allude on several occasions to threats or suggestions made years ago when radicalism was at its highest pitch in this county, to assassinate him or something of the sort. I have heard him say bitter things about his political enemies, but it was only against a few of those who had assailed him and sought to do him an injury.

Q. In his speech this year was there anything of the kind?—A. No, sir; I have heard Mr. Matthews make a great many speeches. I have heard him make speeches before the war and a great many since. I never heard him proclaim any doctrine that was wrong or advise the colored people or anybody else to do anything wrong.

Q. Was he a Union man; do you know?—A. I know, sir, that because he declared himself in favor of the Union and opposed to secession just before the war broke out, there was a rope brought and a proposition made to hang him; the rope was brought on the ground, and I had two brothers involved in the difficulty in the neighborhood where he was raised.

Q. Did he go into the army?—A. I don't think he did; he was a cripple; he was almost an invalid until he got to be 25 or 26 years old; had white swelling.

By Mr. CAMERON:

Q. What was his age at the time he was murdered?—A. He was about 45 or 46.

By Mr. SAULSBURY:

Q You have been giving some estimates about the strength of parties in Copiah County. Have not the Democrats carried that county for a number of years, with the exception of two members of the legis-

lature in 1877 and perhaps some supervisors, electing chancery clerk and other officers?—A. Certainly they had, pretty much as they have done it this year.

Q. It has been a common thing for the Democrats to win?—A. Certainly.

Q. Is it not customary for each party, and especially for the defeated party, always to charge that the other party cheats them?—Yes, that is commonly the case, but it is not customary to inaugurate such a steal for carrying elections as was inaugurated here in this last election; that is a new departure.

Q. I understand you to say that you had a personal difficulty on election day with a gentleman named Nelson; you had been to your buggy to take some whisky and quinine?—A. Yes, sir.

Q. I understood you to say you met Nelson on your return to the polling place?—A. Yes, sir.

Q. Some rough words passed, whereupon you drew your stick to strike him?—A. I raised my stick.

Q. Then you made the first assault?—A. No, sir; I did not.

Q. What did he do before that?—A. That is not an assault.

Mr. SAULSBURY. That is an assault.

The WITNESS. I differ from you.

Mr. FRYE. That is an assault, but not a battery.

Q. The first demonstration of the use of force was on your part towards Mr. Nelson, was it not?—A. Mr. Nelson cursed me and J. P. Matthews. I contend that that was an assault, and if I had struck him I would have been justifiable under the laws of our State. I could have pleaded it in extenuation of excuse.

Q. That is the history of the case, is it?—A. Yes sir.

Q. After that there was a row between your friends and his friends?—A. No, sir; I didn't say that.

Q. There was a demonstration of feeling on the part of some persons?—A. The demonstration was altogether on their part: "Hurrah for Mr. Nelson," and "Don't you be arrested; by God, you can't arrest him." They would address the officers that way.

By Mr. SAULSBURY. I do not understand that Mr. Nelson had done anything to be arrested for.

The WITNESS. He was cursing me and J. P. Matthews, and disturbing the election. He was disturbing the quiet of the election, and it was his duty under our statute—it was the duty of the deputy sheriff, and the justice of the peace, and constable on the ground, to arrest him, and every inspector is a peace officer—they are officers of the peace under our law.

Q. Did you not make yourself on that occasion very officious in trying to persuade the colored people not to vote for anybody on their ticket except as it was printed?—A. No, sir; I did not.

Q. What was the difficulty growing out of? Some advice you gave the colored people, was it not?—A. A colored man informed me that some colored men had scratched their tickets; some eight or ten had allowed the Democrats to do it, and, said he, "Whenever they scratched a darky's ticket"—using his own language—"they marked on the back of it;" and, said he, "What do you reckon they do that for?" Said I, "In order that when the vote is counted out they can see whether you voted that ticket." And I went on to explain to him that that was contrary to the law; that his ticket would be liable to be thrown out.

Q. That was before the election?—A. Yes, sir; about two weeks.

Q. You say that after that you had some conversation, and passed on?—A. Yes, sir.

Q. You had no difficulty with anybody after that meeting?—A. No, sir; I had a friendly conversation with a young man with whom I had business.

Q. After that you were notified by some member of that club?—A. Yes, sir.

Q. Please name that gentleman.—A. Joseph M. Reynolds.

Q. I understand that he was not at the meeting himself, but that somebody that was at the meeting told him?—A. Yes, sir.

Q. So you had it at second hand?—A. Yes, sir; that is the way I gave it in.

Q. That is the way I understood you. I wanted to bring out the facts. It was not hearsay from anybody that was a witness to it at the meeting and heard it?—A. No, sir.

Q. Have you remained in that county?—A. I have.

Q. Has anybody disturbed you?—A. No, sir; only by firing off guns a night or two before the election.

Q. They did not fire at you, did they?—A. No, sir.

Q. Is it not customary after elections for people to fire guns and rejoice over the result?—A. It was not customary for parties to creep up in the rear of nigger cabins and fire off guns.

Q. I ask you if both parties did not make demonstrations of rejoicing in some shape or other?—A. It has never been customary in our county to make demonstrations of that kind—firing off guns, that I know of, except in Hazlehurst. After an election was over I have heard cannons fired there; the successful party would have a little jollification, but not to go around to people's houses. I wish to state now, gentlemen, and I want it distinctly understood, that I am not a Republican and never was, and I feel very reluctant to say that I ever was a Democrat, and don't think I ever shall be again. I cannot be a Mississippi Democrat. I was an old line whig until after the war, and after the war I fell in with the Democratic party. I stuck to them until along about 1875, when I fell out with them, and since that time I have been an Independent Democrat. But I never voted the straightout Republican ticket in my life.

Q. You do not train in the Democratic camp?—A. No, sir; I do not at all; but I want it distinctly understood that I am not a Republican. In Mississippi a man does not dare to scratch his ticket; he must vote the simon-pure Democratic ticket or he is denounced.

By Mr. FRYE:

Q. You say since 1875. I see in quite a number of newspapers published in Copiah County and in that part of the State, that the election of 1875 was alluded to. Was that the election known over the country as the shotgun election?—A. It was spoken of in Yazoo as the shotgun election; there wasn't much shotgun in it in our county. I don't think there was anything like hostility in our county.

By the CHAIRMAN:

Q. The Democrats carried the State?—A. They carried the State and carried our county; but they were charged with fraud and unfairness in our county and other counties.

By Mr FRYE:

Q. In 1875, did they not go to Matthews's house with a notice?—A. I can't say; I was not in town that day. They marched around all over town, so I understood; I didn't see that.

By Mr. CAMERON:

Q. Did not the Democrats claim last fall that the negroes of your county had entered into a great conspiracy to rise and murder the whites?—A. They were trying to get up some rumors of that kind.

By Mr. SAULSBURY:

Q. There were rumors to that effect?—A. Oh, yes; but it was all gotten up by the Democratic party; there was no ground for any such rumors.

By Mr. FRYE:

Q. There was no such danger?—A. The negroes had never been doing that. They had been doing as well as any niggers ever did, ever since they were free in Copiah County.

By Mr. SAULSBURY:

Q. I understood you to say there were rumors to that effect?—A. Oh, yes; I heard those rumors. They would have it that Matthews was trying to array the niggers against the whites, and all that sort of thing. I know it was not true. I have heard him tell the niggers too often from the stump and in private conversation that if it ever came to a collision of races they would find him with the whites. I have heard him tell them that in his speeches, and have heard him tell it to them in conversation.

The subcommittee then adjourned until Tuesday morning, February 19, 1884.

NEW ORLEANS, LA.,
Tuesday, February 19, 1884.

The subcommittee met pursuant to adjournment. Present: Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas.

The taking of testimony was resumed as follows:

E. C. WILLIAMSON sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. At Hazlehurst, Miss.

Q. How long have you lived there?—A. About fifteen years.

Q. Were you born in Mississippi?—A. Yes, sir.

Q. Are you a Republican?—A. No, sir.

Q. What are you in politics?—A. A Democrat.

Q. Were you mayor of Hazlehurst last year?—A. I was.

Q. I wish you would, in your own way, state to the committee what disturbances, if any, the nature of them, &c., you saw at any time prior to the last election on November 6.—A. Well, I do not know that I could say positively that I saw any disturbance; I do not know it of my own knowledge, only I saw a lot of armed men who came into town on Monday before the election on Tuesday.

Q. Mounted and armed?—A. Yes, sir.

Q. Armed with what?—A. Guns and pistols.

Q. What did you see of them?—A. When they came into town they marched around one square and then back to the court-house and halted in front of the court-house, and there Major Barksdale made a speech.

Q. To this body of armed men?—A. Yes, sir; and others who were there to hear it.

Q. Did these men have their arms with them when he was addressing them?—A. Yes, sir.

Q. Well, after that?—A. After that I went back to my store and place of business and remained there until dinner time. I went to my dinner and came back, and during that time, after the speech, I noticed the body of men across the street, over on the other side, on the east side. I am doing business on the west side, and the court-house also is on the west side, and they were on the east side, in front of Faler & Co.'s store. After that the company disappeared and I never saw them there after that.

Q. Where did they go, out of town?—A. Yes, sir; they went out of town, I suppose.

Q. Were you there on Tuesday, election day?—A. Yes, sir; in the morning, coming from home, I saw as many as three or four men with guns; on the day of the election.

Q. Did you go to the polls?—A. Yes, sir.

Q. What time did you go to the polls?—A. I suppose it was 2 or 3 o'clock in the evening.

Q. Where did you vote, at the poll where Mr. Matthews was killed?—A. No, sir; I voted on the west side; he had to vote on the east side.

Q. Had complaint been made to you, as mayor prior to this time, of disturbances going on around in the country?—A. Yes, sir.

Q. How frequently?—A. Well, officially, only once.

Q. Who made that complaint?—A. It was Dr. H. H. Barlow and T. E. Matthews who made the affidavit.

Q. They made an affidavit before you?—A. Yes, sir.

Q. What was the nature of that?—A. Well, of certain parties riding through beat 3, through the country, and disturbing the people there and their families by—I believe the affidavit charged them with shooting and going to their houses at night; I think that was the nature of the affidavit.

Q. Did they desire you to preserve the peace and have them arrested?—A. Yes, sir.

Q. Do you know how many names they gave you?—A. I don't recollect exactly, somewhere about twenty-five I think.

Q. What day was that?—A. That was on the 3d of November.

Q. Did you issue a warrant for the arrest of those men?—A. I did.

Q. What did you do with it?—A. I placed it in the hands of the sheriff of the county.

Q. What was his name?—A. T. J. Hargrave.

Q. Did he arrest those men and return them before you?—A. I do not know officially whether he arrested them or not. He told me he had arrested the most of them.

Q. Was the warrant ever returned to you?—A. No, sir.

Q. Did you ever hear of those men being tried anywhere?—A. I did not try them.

Q. Were they brought before you at all?—A. I was informed that some of the parties were in town ready for trial, and I declined to try them from the fact that there was so much excitement. That was on the day before election, the 5th, I believe. We had the election on the 6th, and this was on Monday, the day that the company came in; and I declined to hold any court simply because there was so much excitement I did not think it prudent to do so.

Q. You did not deem it prudent to hold any court?—A. No, sir.

Q. Was the warrant ever returned to you?—A. No, sir, the warrant was not returned.

Q. What effect would that excitement have had on your court?—A. I do not know that I could say what effect it would have if I had tried those men.

Q. Were there large numbers of these men armed around through the town?—A. There was somewhere between 100 and 150; I did not count them. On the day prior to the election, you mean?

Q. Yes. As a matter of fact it was not prudent to undertake to try any of the men who were in that crowd for being in it, was it?—A. Well, I do not think it was.

Q. You say you understood that these men were in town and ready for trial?—A. Yes, sir; some of them were in town, for I saw them.

Q. Were they at large?—A. Yes, sir.

Q. Did the sheriff ever serve the warrant, arrest one of the men, and bring the man so arrested into your presence?—A. No, sir; he did not.

Q. He simply informed you that the men were in town?—A. Yes, sir; and also told me that some of them were under bond to appear.

Q. Who could give the bonds; under your law who could take bond?—A. The sheriff had a right to take an appearance bond.

Q. Did he ever return any of the bonds to you?—A. No, sir.

Q. That was the place to make the return, wasn't it?—A. Yes, sir. Under our statute the law requires that the bond and the writ shall be returned into court.

Q. Could the prisoner be admitted to bail without having been arraigned at all?—A. Well, that is done.

Q. The law also requires that the bond and the prisoner both must be returned into court eventually.—A. Yes, sir.

Q. That has not been done, has it?—A. No, sir.

Q. Was young Hart brought before you for shooting Burnet?—A. Yes, sir.

Q. Do you know whether or not he was in this armed crowd?—A. I don't recollect.

Q. Let me see if I can refresh your memory. It has been testified to that in the crowd of men in the night was young Hart, a Democratic printer. Was the young Hart who was arrested for shooting Burnet a Democratic printer?—A. Yes, sir; he was engaged in the Signal Office at one time.

Q. Now, when he was brought before you for shooting Burnet, what statement did he make about his defense as to who would defend him?

The WITNESS. When he was arraigned?

Mr. FRYE. Yes.

The WITNESS. My recollection is that when I arraigned him I asked him if he had an attorney, and his reply to me was, "The Hazlehurst bar." That is my recollection.

Q. Did the Hazlehurst bar appear in his defense?—A. I think that only three attorneys appeared in his defense.

Q. Who were they?—A. L. B. Harris and H. C. Conn were the prominent ones, and I think that G. S. Dodds was one of the lawyers.

Q. Was the chairman of the Democratic committee there?—A. He is the gentleman, J. L. Meade; yes, sir.

Q. Did not Mr. Meade also state that the Hazlehurst bar would defend this man?—A. No, sir; if he did, I did not hear him.

Q. Were there several other Hazlehurst bar attorneys there?—A. Well, they were in and out of the court-room.

Q. Making suggestions occasionally.—A. Not to the court.

Q. I mean to the other counsel who were acting.—A. I could not say as to that.

Q. Who appeared for the prosecution—the Government?—A. Col. J. B. Jones.

Q. Is he a lawyer?—A. Yes, sir.

Q. The result of that was the binding over of Hart?—A. Yes, sir; to appear at the circuit court.

Q. Mr. Burnet was not present, was he?—A. No, sir.

Q. Was he then sick from the wound?—A. Yes, sir; and in bed at the time.

Q. Has anything ever come from that binding over that you know of?—A. I have been told that the grand jury failed to find a bill.

Q. No trial has ever been had of Hart?—A. No, sir.

Q. Were you called before the grand jury in that case?—A. No, sir; I was not. The case was of that character that the material testimony was required to be taken down, and I submitted that. I took that down in the investigation, and that went before the grand jury.

Q. As mayor of the city, or as an individual and prominent man there in town, have you not been informed of a series of outrages going on around in the country by mounted armed men?—A. I have heard at different times that there was a crowd of men around in that section of the country.

Q. Around in Beat 3?—A. Yes, sir.

Q. Firing guns?—A. That was the report, yes, sir; and visiting different houses.

Q. Have you heard of their beating and killing anybody?—A. Oh, yes; I heard that.

Q. Were there not common rumors for a week—several days before the election—of this marauding expedition of armed men on horseback around through the country?—A. Well, for some days before the election, yes, sir.

Q. Day and night?—A. Yes, sir.

Q. Did not Mr. Burnet make affidavit before you of the burning of Daniel Crump's house in the night?—A. I don't recollect now whether Burnet made the affidavit or Daniel Crump. The affidavit was made.

Q. Was Burnet attorney for Crump?—A. Yes, sir; I think so.

Q. What did you do about that?—A. The warrant was issued and the parties arrested and brought before me and arraigned. They plead not guilty, and they asked that a day be set for investigation, and gave the names of the witnesses. I issued the summons for the witnesses and placed it in the officer's hands for them to be summoned to appear on a certain day to testify in the case, and the day came and the witnesses had not been summoned, owing to the condition of affairs in the county and the excitement.

Q. Who was the officer?—A. S. G. Kent, I think; he was the constable.

Q. Was anything ever done about that afterwards?—A. Yes, sir; the prosecutor, Crump, came in and asked permission to withdraw the affidavit. He said that these parties had asked him to do so, and proposed a compromise, and wanted to withdraw it, and preferred to do so, and did not want to prosecute the case; and I agreed that he could do it if he wanted to. The grand jury was in session.

Q. Did he tell you that they had agreed to pay for his house?—A. He did not say it in that language, that they had agreed to pay for the house; but that they had compromised it and agreed to give him something for what he had lost.

Q. Who was the complaint made against?—A. T. J. Norman, jr., and Aleck Little.

Q. Democrats?—A. Yes, sir; I think so; yes, I know so.

Q Did he have others unknown?—A. I don't recollect now whether he did or not.

Q. What was his statement; that they came there in the night time?—A. Yes, sir.

Q. Armed?—A. Yes sir; armed, and fired into the house and set his house on fire and burned it up.

Q. Where did Crump live?—A. In Beat 2, I think.

Q. How far from Hazlehurst?—A. I do not know how far he lives from Hazlehurst.

Q. Was Mr. Miller acting district attorney; was he elected this last time?—A. Yes, sir; he was.

Q. Was he acting for these men who were charged with setting fire to Crump's house?—A. When Crump came in to make a complaint, he went to see Mr. Miller; that was before the election; and Mr. Miller declined to take the case then as he was busy canvassing and could not give it his attention, but told him, though, that after the election he would prosecute for him.

Q. Did you consult Miller, as Crump's attorney, as to what disposition to make of this withdrawal?—A. Yes, sir; I went to Mr. Miller, and he said it was with me; that Crump had a right to withdraw the affidavit if he wanted to, and I had right to turn the matter over to the grand jury, let him withdraw his affidavit, and the grand jury could take the case up, as I knew it could.

Q. Was there anything said about the danger of holding court because of the excitement in town?—A. No, sir; I do not think there was, to me.

Q. Was it impossible for you, Mr. Mayor, to preserve the peace in your town at that time of excitement?—A. Well, I deemed it so.

Mr. HOAR. Deemed it how?

The WITNESS. There was considerable excitement.

Mr. FRYE. What do you mean by your answer?

The WITNESS. I understood you to ask the question if I thought it was impossible to keep the peace.

Q. I did ask you if it was impossible; what did you say?—A. I said I deemed it so. I will go further; not on account of our own citizens there, because our citizens, the citizens of the town, were very much in favor that the peace and quiet of the town should be restored. These people were in from the country, not town people. There might have been a few connected with that company from the town, and I think was, but our town people as a general thing were opposed to any violence or disturbance.

Q. The better class of the Democrats in Hazlehurst did not countenance the affair?—A. No, sir.

Q. Well, did they undertake to stop it?—A. Yes, sir, they pledged me their support; after the first of the excitement they pledged me their support.

Q. What was done to stop it?—A. I issued a proclamation calling upon the officers and citizens of the town to assist in seeing that law and order was restored again, and guaranteeing to the citizens peace and quiet. Captain Hargrave and Colonel Meade, chairmen of the Democratic executive committee——

Q. Well, they didn't stop it, did they?—A. Yes, from that time on things became very quiet.

Q. When was that?—A. That was on the 8th.

Q. That was after the election?—A. Yes, sir.

Q. After Mr. Matthews and these colored men had been killed and shot into?—A. It was after the election, and I think all the killing was done before the election.

Q. So that these Democratic conservators of the peace did not offer to assist you to keep the peace until after the election had terminated?—A. This all happened after the election.

Q. Now, how long have you known Mr. Matthews, who was killed on that election day?—A. Ever since 1869.

Q. What kind of a man was he?—A. Well, he was a man who was regarded as a very clever man, personally and socially.

Q. Was he generous?—A. Yes, sir; a man who had a good many friends belonging to the different parties in the county.

Q. Was he a charitable man?—A. Rather so, yes, sir.

Q. Social in his habits.—A. Yes, sir; outside of his politics Mr. Matthews was very well liked; of course they didn't like his politics.

Q. He was a very earnest Republican I suppose?—A. Yes, sir; and he was very ambitious and determined to carry his points in politics and carry his party through.

Q. Did you hear any of his speeches during this canvass?—A. No, sir; I did not.

Q. Was he a man of property?—A. Yes, sir.

Q. A pretty large property?—A. Considered so; yes, sir.

Q. A good many outlying farms?—A. He owned a good deal of property.

Q. Real estate you mean?—A. Yes, sir.

By Mr. SAULSBURY:

Q. As mayor of the city you are *ex officio* a justice of the peace?—A. Yes, sir

Q. How far does your jurisdiction extend as a justice of the peace?—A. Beat 1, the jurisdiction in which I reside.

Q. Some of these parties against whom complaint was made by Crump were not residents of that beat, were they?

Mr. HOAR. Do you mean by the extent of the jurisdiction, how far his warrant could be issued to arrest a person?

Mr. SAULSBURY. I mean his jurisdiction.

The WITNESS. It applies to both civil and criminal.

Mr. SAULSBURY. Could you issue a warrant for the arrest of a party in another beat than that in which you reside?—A. I could issue a warrant but could only do so by making it returnable to some justice of the peace in that beat. I could issue the warrant, but could not sit and try the case, and if a case of that character should come before me they might plead jurisdiction.

Q. You state that in regard to some of the parties warrants were issued at the instance of Crump. Let us come to the warrant issued by Barlow and Matthews. They made affidavits against some 25 men I understood you to say?—A. Yes, sir.

Q. Did those men reside in beat No. 1?—A. Some of them did.

Q. Did some of them reside outside of beat No. 1?—A. Yes, sir.

Q. Now, you say that some of these parties were in town, as you were informed, on Monday preceding the election, ready for trial?—A. Yes, sir.

Q. When was that warrant issued, at what time in the day or night of Saturday preceding that time?—A. It was issued about 8 o'clock in the evening on the day of the 3d of November.

Q. The affidavit was made by Barlow and Matthews?—A. Yes, sir.

Q. And upon their affidavit, about 8 o'clock on Saturday night, you—— A. I issued the warrant and placed it in the hands of the sheriff.

Q. At night?—A. Yes, sir.

Q. Now, under your law, could these parties have been arrested on the Sabbath day?—A. I think not; no, sir.

Q. Then on Sunday following the issue——

Mr. FRYE. Let me understand that, Mr. Saulsbury. Can't a man be arrested in Mississippi for crime on Sunday?

Mr. SAULSBURY [to the witness]. What were those parties charged with, with a felony?—A. Some of them were. It is felony going to a residence and firing into the house, or setting fire to houses where parties live.

Q. Well, after thinking the matter over on Monday, did you advise the sheriff not to arrest those parties, any of them?—A. Not on Monday.

Q. I mean at any time?—A. Yes, sir; after that. I will state that after the election the sheriff and I had a conversation, with others, and in that conversation I thought, at their suggestion, that it was not advisable to have those parties arraigned and tried, and I agreed that he should not arrest the parties and bring them before me, for two reasons. The crime was charged to have been committed in beat 3 of the county, in which I had no jurisdiction. Next, that the excitement had prevailed so that I thought best not to try them, and my consenting, I reckon, is the reason why the warrant was not returned into court.

Q. Could you have tried those parties, they residing in beat 3, if they had been arrested and brought into your office, under the laws in your county?—A. I could not, sir; without consent.

The CHAIRMAN. I understand that it is not a question of where the man resides which determines the jurisdiction of this man, but a question of where the offense was committed. If a man coming from beat 3 had come over into this man's beat and committed an offense, then he could issue this warrant and have him brought before him without regard to his residence. Your question was, could you have tried a man who resided in beat 3. Now, it is not residence; it is where the crime was committed.

The WITNESS. The crime was in Beat 3; the burning was in Beat 2, I think; I will not be positive.

Mr. SAULSBURY. Then the offense of which they were charged occurred in a beat different from that in which you had jurisdiction?—A. It did.

Q. And you therefore had no power to try the case if the parties had been brought before you?—A. I had not.

Q. You could issue your warrant?—A. Yes, sir; and make it returnable before some justice of the peace in that beat.

Q. Then if these parties had been arrested by Hargrave and brought into your office, you had no power, under the laws of the State, to have tried them on the offenses charged?—A. None, I think.

By Mr. FRYE:

Q. They would have been obliged to plead to the jurisdiction?—A. If they had not plead jurisdiction the court's duty is to know whether they have jurisdiction or not. The law plainly says that they shall have jurisdiction only in the beat in which they reside—only have jurisdiction in that beat. But by consent I suppose the court could try parties.

By the CHAIRMAN:

Q. In what statute or code is that law found defining jurisdiction?—A. The statute of 1880.

By Mr. SAULSBURY:

Q. In view of this fact, that you could not try the parties, you told the sheriff not to arrest them and bring them before you.

Mr. FRYE. That is not what he said.

Mr. SAULSBURY. Is that true; some of the parties?

The WITNESS. Yes; as I stated, in view of that fact and one other fact, that I not having jurisdiction, and then advising with the sheriff and others, thought it not advisable to have the parties brought before me and tried.

Mr. FRYE. On account of the excitement you said.

The WITNESS. Yes; on account of the excitement.

Mr. SAULSBURY. Mr. Barlow, and which Mr. Matthews made this affidavit?

The WITNESS. Mr. T. E. Matthews.

Q. What is his first name?—A. Erastus is one of the names, but I don't know what the "T" is for.

Q. Was Print Matthews present in your office at the time these affidavits were made?—A. I had gone to supper, and when I returned to the store, Mr. J. P. Matthews, Dr. Barlow, T. E. Matthews, and Mr. Burnet were at my desk, and Burnet was writing the affidavit, had very nearly finished, I think, and after he had written it, the parties signed it, and I qualified them. J. T. Matthews was present at that time, and I suppose all the time during the time that was being written.

Q. Who were the parties included in the affidavit; do you remember all their names?—A. No, sir; I do not.

Q. Was Ras Wheeler one of the parties included?—A. Yes, sir.

Q. Now, coming to the arrest of the man Hart, Hart was arrested for shooting Burnet.—A. He was.

Q. And appeared before you.—A. Yes, sir.

Q. Was he held by you for his appearance at court?—A. He was.

Q. What was the amount of the bond which he gave?—A. One thousand dollars.

Q. You took his bond for a thousand dollars for his appearance at court?—A. Yes, sir.

Q. You did not try Hart upon that evidence yourself but committed it to the court?—A. I investigated the case. I was four days investigating the case, and, as I stated to the committee, sent the record to the court.

Q. Had you or not any doubt about the propriety of even holding Hart to bail for the alleged offense after examining the evidence in the matter?—A. I cannot say that I did. As I remarked, after we were through with the testimony, I considered that it was a case in which I was not satisfied to turn Hart loose, and that it was a matter that I thought the grand jury of the county ought to investigate. There was some tolerably strong evidence against Hart, and I thought it was my duty, and did not hesitate in binding him over to court.

By Mr. FRYE:

Q. Mr. Burnet, the man shot, was not a witness before you, was he?—A. No, sir.

By Mr. SAULSBURY:

Q. Who are the prominent lawyers of your town?—A. R. N. Miller, L. B. Harris, G. S. Dodds, J. S. Sexton, H. B. Mayes, sr., and H. C. Conn.

Q. How many of those lawyers appeared for Hart in the proceedings against him for shooting Burnet?

The WITNESS. How many in all?
Mr. SAULSBURY. Yes.
The WITNESS. Three.
Q. Then the whole bar did not appear?—A. No, sir.
Q. Three counsel which Hart had retained, I suppose, appeared?—A. Only three attorneys appeared in the defense of Hart.
Q. Who were they?—A. L. B. Harris, H. C. Conn, and J. L. Meade.

By Mr. FRYE:

Q. Meade, the chairman of the Democratic committee.—A. Yes, sir.
Q. One of these lawyers who appeared also had a partner you have named as one of the principal lawyers, didn't he?—A. L. B. Harris, he had a partner.

By Mr. SAULSBURY:

Q. Did Mr. Harris appear before you?—A. Yes, sir.
Q. Harris and Dodds were partners?—A. Yes, sir.
Q. Now, in the complaint which Crump made about the burning of his house, did he charge that that burning was from politics at all?—A. No, sir, not altogether.
Q. What reason did he suppose there existed for the burning of his house?—A. He talked to me a good deal about it, and his reasons were these; that he was having a lawsuit with Little & Norman, and that his attorneys had told him that he would win the lawsuit, and these parties did not like it, and to scare him, get rid of him, they went there, as he supposed, to kill him and get rid of him in that way.
Q. He attributes then the burning of his house and the attack they made upon him to a personal difficulty in a lawsuit with certain parties there?—A. Yes, sir, mostly. But he mentioned that politics might have had something to do with it. But he attributed it mostly to this personal matter between him and these two parties, Mr. Little and Mr. Norman.
Q. Who were Crump's lawyers in that civil suit?—A. Mr. Sexton and Mr. Miller.
Q. Are they both Democrats?—A. Yes, sir.
Q. They were the counsel for Crump in his suit between these parties and himself?—A. Yes, sir; they were.
Q. Did you ever hear any conversation between Mr. Meade and Mr. Print Matthews, in which Meade assured Mr. Matthews that he would interfere personally for his protection at all times whenever it was necessary?—A. His family's protection—yes, sir, at the house. I will just state about that. Mr. Matthews had said something about this company of men coming to Hazlehurst. It had been reported there that if they came they were coming to kill Matthews, and maybe some more of them. And he was speaking about it and Colonel Meade told him that if anybody, any set of men, went to his house to interfere, or to scare his family in any way, that he for one would go there and take sides with him and fight with him; that he would see that they should not go there; that they should not interfere with him and his family; that that was not what he was after, or what they were after, and he was satisfied that they would not go to his house, as it had been reported that they were coming there, and he told them that he would see that they did not go, and if they did, he would go there and take sides with him.
Q. Did you hear any expression on the part of Mr. Matthews of his confidence in the assistance, if necessary, of Mr. Meade?—A. Yes, sir; he expressed himself in my store, and said that Meade had told him this, and he believed that Colonel Meade meant just what he said.

By Mr. FRYE:

Q. And could control them so that they should not go to his house?—A. No, sir; he did not say he could control them.

Q. You said on your cross-examination that Meade told him that this mob should not go to his house or interfere with his family?

Mr. SAULSBURY. The expression was, I think, that if they went there that he would go there and fight with him.

The WITNESS. Yes, that was the expression.

By Mr. SAULSBURY:

Q. Do you know whether Sheriff Hargrave undertook to control and quiet these people and prevent any outrage at all in town?—A. I do not know only what he told me. He told me he would assist me in restoring law and order in the town.

By Mr. FRYE:

Q. That was after the election?—A. Yes, sir; I am a little fast there. I do know; I know that the day that company come into town he told me that he was going out to meet the company and he went, and that his object was to go out there and prevail on them if they would come into town to come in quietly. I did not leave the town at all during any of the time.

By Mr. SAULSBURY:

Q. Do you know who Hargrave carried with him, and the character of the men he carried with him when he went out to meet these men that were coming into town?—A. I do not know that he carried any.

By the CHAIRMAN:

Q. You say that Meade told Mr. Matthews in your hearing that he did not think the mob, this company of men, would attack his family or disturb them; that that was not what they were after. Did he say what they were after?—A. No, sir.

Q. What else?—A. Well, Mr. Matthews was complaining to him about what he had heard, that they were coming in there to interfere with him to kill him.

Q. To kill him?—A. Yes, sir; and he thought after they came there that they might kill him and all of his family.

Q. And did Mr. Meade say that if they undertook to attack his family——?—A. His reply to Mr. Matthews was, that if they undertook to do that, he would take sides with Matthews.

Q. Did you know at the time of Sheriff Hargrave offering to deputize Print Matthews to put down that mob?—A. Yes, sir.

Q. How did you know of it?—A. I got it from Captain Hargrave, I think, myself.

Q. Did you believe, when he told you, that that offer was in good faith?—A. He explained himself in this way——

Q. I should like to know what his explanation was?—A. That it was late at night, and he did not have any one that he could get to send, and that Mr. Matthews was very much interested in his stopping these disturbances, and was speaking about it, and that was the reason why he proposed to deputize Matthews.

Q. To put down that mob of 150 men, whom Matthews thought was going to kill him. That was at night, was it?—A. Yes, sir, at night.

Q. Then I will return to my question, if you believed that that offer was in good faith?—A. Well, I would say that I think that Captain Hargrave did not mean to have him appointed solely to be murdered.

Q. Let me repeat my question once more, Mr. Mayor. Did you believe that offer was in good faith?—A. Well, I could not answer the question; that would only be a supposition, and I could not answer it.

The CHAIRMAN. I will not compel you to answer it.

By Mr. SAULSBURY:

Q. What is the character of Hargrave; is it that of an upright, peaceable, quite, and harmless man?—A. Yes, sir.

Q. Is he a man who favors the violation of law and order in the community in which he lives?—A. I do not think he is.

Q. Have you the least suspicion that when he offered Matthews to deputize him that he did it for the purpose of aiding in the murder of Matthews?—A. I have no idea that he did that.

Q. Wasn't it the result of the pressure that Matthews was making upon him that he did that, and perhaps for the purpose of satisfying Matthews that it was impossible for him to have those arrests made that night?—A. Yes, sir; I think that was the prime cause of it; that he was urging Captain Hargrave to send a lot of men after those people, and it was not Captain Hargrave's original idea in deputizing Matthews; somebody else suggested it.

By the CHAIRMAN:

Q. Who suggested it?—A. I forget who it was.

Q. Mr. Meade?—A. No, sir; I do not think it was him; I will not be positive.

Q. Was it some other Democrat or Republican?—A. A Democrat.

Q. Some other Democrat suggested that?—A. Yes, sir; some one suggested it. Mr. Matthews was very earnest in having warrants executed, and it being late at night, Captain Hargrave not having any deputies or any one that he could send, he, at the suggestion of some one, proposed to deputize Mr. Matthews.

By Mr. CAMERON:

Q. Were you present when that suggestion was made?—A. No, sir; I stated that that was what Hargrave had told me.

By the CHAIRMAN:

Q. Did any person among these authorities before the election make any speeches or give any assurances to their Democratic associates urging them or directing them by authority to abstain from anything which should interfere with the freedom of the election, to your knowledge; if so, what?—A. I do not understand your question.

Q. I ask you if any Democrat in that community to your knowledge made any appeal to his Democratic associates, or exerted any official authority, to secure a free and fair election without intimidation?—A. No, sir; I think not.

Q. Now I want to ask you about the matter of jurisdiction in Mississippi. The circuit court has jurisdiction for the county, has it not?—A. Yes, sir.

Q. And is not your jurisdiction coextensive with that of the circuit court?—A. So far as the beat in which I reside is concerned.

Q. But so far as the entire county is concerned—I am speaking of the territory?—A. No, sir; under our statute I am only a peace officer for the county, and that only where a matter happens in my presence. I have no right to take cognizance of anything outside of my beat except where it happens in my presence.

Q. But suppose a person, either dwelling in your beat or not, comes

within your beat and commits a breach of the peace or other offense, and then goes out of it into some other part of the county; haven't you authority to issue a warrant and arrest him and bring him before you for trial?—A. Yes, sir; and try him for the offense if it is committed in the beat in which I have jurisdiction.

Q. So that the question of the residence of the party does not affect your jurisdiction?—A. No, sir.

Q. But only the question of the locality of the offense?—A. That is all.

Q. That is what I understand. Now suppose the offense be committed in another part of the county, are you not authorized to issue a warrant for the apprehension of the offender to be heard and tried, however, before some other justice—before a magistrate in the place where the offense was committed?—A. Yes, sir; I have a right, on an affidavit, to issue the warrant returnable before a justice of the peace of the beat in which the offense was committed, as I said before.

Q. If the person is brought in before you and claims that the offense was in another jurisdiction, he has got to plead it, has he not, under your practice?—A. Yes, sir.

Q. So that you have jurisdiction unless the defendant pleads that the locality of the offense was elsewhere?—A. Well, if the court is cognizant of the fact that it has no jurisdiction, it is the duty of the court to do that without jurisdiction.

Q. Now I will come back to the question which I think I have put to you that Hargrave, the sheriff, told Mr. Print Matthews that that was not what they were after. Did he in any way state, either to him or to you, or state to anybody in your hearing, what he thought it was that they were after?

The WITNESS. You refer to Colonel Meade?

The CHAIRMAN. Yes; I think it was Mr. Meade.

The WITNESS. No, sir; he did not.

Q. What did you understand they were after, if you had any means of knowing?—A. My understanding was that they intended to carry the election.

By Mr. SAULSBURY:

Q. In referring to the affidavits that were made, and the issuing of the warrant in the cases where Barlow and Matthews had made affidavits against some 25 men, you say that the offenses that were committed in beat 3 you could not have tried. Was your summons issued returnable to yourself or returnable to some magistrate in beat 3?—A. Returnable to myself.

Q. Then they were not issued returnable in beat 3?—A. No, sir.

Q. Subsequently to that you were reminded, or upon reflection considered, that the cases would not have been cognizable before you if the return had been made and the parties appeared?—A. Yes, sir.

Q. And hence it was that you advised Hargrave not to arrest the parties upon those warrants?—A. Yes, sir.

Q. Because you could not have tried them if they had been brought before you?—A. No, sir; I could not have tried them, because the offense was committed in a different beat from that in which I had jurisdiction.

By Mr. CAMERON:

Q. Didn't you know that that was the law when you issued the warrant?—A. Yes, sir.

Q. Then why did you issue it?—A. I did it hurriedly and unthoughtedly. I had a right to issue the warrant, and should have issued the warrant returnable before the justice of the peace in that beat, but did not do it.

By the CHAIRMAN:

Q. When you thought of this difficulty why didn't you issue a new warrant properly returnable?—A. An alias?

Q. No, not an alias; a warrant returnable before a justice in that beat. The complaint was rightfully made to you, wasn't it?—A. Yes, sir; I did not think it advisable at the suggestion——

Q. Just answer this. You had jurisdiction to receive the complaint, it being an offense in the county of Copiah, hadn't you?—A. Yes, sir; I think so.

Q. And the only error was that having received a complaint properly cognizable by you, you made the warrant returnable that you issued, before yourself, and not before a justice in beat 3; that was the defect?—A. Yes, sir.

Q. That defect could only have been availed of by the defendant by his pleading it, unless (which I think was very proper) the magistrate himself, seeing the difficulty, concluded not to hear the case, as I understand you. Now, why didn't you then, having the complaint before you, issue a new warrant returnable before another magistrate in beat 3?—A. Well, that didn't suggest itself to my mind, and, as I said before, in a conversation with Hargrave and others, with their advice and using my judgment in the matter, I thought it was advisable not to interfere with it any further.

Q. You thought it advisable that that offense should not be tried, didn't you, by anybody?—A. Yes, sir; because the grand jury was sitting and they could have taken cognizance of it.

Q. But you went further than that. Didn't you think it advisable that that offense should not be tried by anybody?—A. I did not think it advisable that it should not be tried by anybody; I think the law ought to be enforced against all violators.

Q. Hadn't you a right to issue your warrants and bind the man over to appear before the grand jury?—A. No, sir.

Q. You hadn't that right?—A. No, sir; except where a party is arraigned and waives examination or for an offense committed in my presence. The law provides there I shall arrest myself.

Q. What was the precise nature of the charge?—A. My recollection is that they charged them with going from house to house; breaking open houses, firing into houses, and other disturbances.

Q. That involved a felony?—A. In some of the cases; yes, sir.

Q. As one of the principal citizens of that county, have you ever done anything to bring these offenders to justice, beyond what has been stated?—A. Nothing.

Q. And are you aware that they have been tried or indicted by anybody?—A. I am not aware that they have been indicted or tried by any one.

By Mr. SAULSBURY:

Q. You sent the testimony that was taken before you at the time the affidavits were made, to the grand jury, as I understood you?—A. No, sir.

Q. That was in Hart's case, then?—A. Yes, sir.

Q. I want to ask you if any of your proceedings in connection with

these matters was for the purpose of aiding or preventing these parties from being brought to punishment for any violation of the law; whether you sought to protect and shield these parties by anything that you did?—A. Not at all; no, sir.

Q. Didn't I understand you to say that you believed that all offenders against the law ought to be brought to trial and punishment?—A. Yes, sir.

Q. Now, I ask you another question. You are a citizen of that county and have lived there most of your life, or a long time?—A. Yes, sir; for fifteen years.

Q. I want to know of you if it is your opinion that the great body of the Democratic party in that county are in favor of lawlessness and violations of law and order in your community?—A. They are not.

Q. The better portion and the large proportion of the people of that county are in favor of protection of the rights of everybody, are they?—A. I think so; that is my experience so far as my knowledge goes there.

Q. There are in that community I suppose, as in every other community, lawless men who are not governed by the general sentiment of the community in which they reside, is that true?—A. Yes, sir.

Q. But the great body of the Democratic party of that county, you say, are in favor of the preservation of the rights of everybody?

The CHAIRMAN. He didn't say that. I understood him to say the larger portion of the people of that county who, we think, are Republicans.

Mr. SAULSBURY. I put the question to him, and I will repeat it; whether the great body, the large majority, of the Democratic voters of Copiah County are not in favor of the preservation of law and order in that community?—A. I think so, sir.

By the CHAIRMAN:

Q. Do you say that you think that the large majority of the Democratic voters of that county are in favor of bringing these offenders to trial and punishment?—A. Well, I did not say that.

Q. That is what I ask you?—A. These offenders that are charged? I did not say that.

Q. Do you think that if Mr. Erastus Wheeler determined beforehand to kill Mr. Matthews, and killed him (I don't ask you whether you think he did or not), but whether if he did, and supposing it to be true that this man determined beforehand to kill Print Matthews, and killed him, do you think a large majority of the Democratic voters of that county are in favor of having him tried and punished for it according to law?—A. Well, I think so, sir. I would like in addition to that answer to say this: That prior to the election and the day of the killing of Mr. Matthews I, for one, had not heard any one threaten to kill anybody, and had not the least suspicion that Mr. Matthews would have been killed, and was very much surprised at it.

Q. You knew that Matthews was expecting that the crowd of people would kill him?—A. I heard him say that he expected to be killed.

Q. And Ras Wheeler, who did kill him, was one of that crowd, you understood, didn't you; one of the 150?—A. Yes; that is my understanding.

By Mr. JONAS:

Q. I want to ask you whether Ras Wheeler is not under bail now to appear before the next term of the criminal court for trial for this offense?—A. Yes, sir.

Q. How much is the bail?—A. Five thousand dollas.

Q. Is it a good bail, signed by responsible citizens?—A. Yes; the justice of the peace whom he was arraigned before told me he put him under a bond of $5,000, and that there were three sureties, and those sureties were as responsible men as there are in our town.

Q. Has there been a term of court held since he has been held to bail?—A. No, sir.

Q. That bond then is awaiting the first term of that court at which he could be tried?—A. Yes, sir; that is in April next.

By the CHAIRMAN:

Q. Is murder a bailable offense in your State?—A. No, sir.

Q. Was there any investigation or examination of witnesses of this killing of Mr. Matthews?—A. The examination was waived.

Q. So that the man has been put on a bail of $5,000 for the offense of which we have heard a description, without any examination whatever, murder not being a bailable offense?

Mr. JONAS. I object. [To the stenographer.] Are you recording these speeches or statements? I don't think they ought to go down.

The CHAIRMAN. It is calling his attention to what is the result of his testimony. He may assent or dissent if he pleases. It is not a speech or statement, it seems to me.

By Mr. CAMERON.

Q. When was Mr. Matthews killed?—A. On Tuesday morning, the day of the election.

Q. That was the 6th of November, wasn't it?—A. Yes, sir.

Q. Was the grand jury in session at that time?—A. After that; they convened on Wednesday or Thursday after the election; they had adjourned court after the election, and the grand jury and court convened on Wednesday after the election.

Q. And how long did the grand jury continue in session after that?—A. I don't recollect.

Q. About how long?—A. I would say a week; I will correct that; I think the grand jury had adjourned, and that Judge Wharton came back only to hear some cases that were set for certain days after the grand jury had adjourned, and that the grand jury was not in session after the election.

Q. Then you now swear that the grand jury has not been in session in Copiah County since the 6th day of November last?—A. That is my recollection.

HENRY EDWARDS (colored) sworn and examined.

By Mr. FRYE:

Question. How old are you?—Answer. I am about twenty-eight or twenty-nine years old.

Q. Live in Copiah County?—A. Yes, sir.

Q. What part?—A. I live in beat 3. I don't exactly know what precinct I live in.

Q. Did you live in beat 3 before the last election?—A. No, sir; I lived in Claiborne County.

Q I mean during the month of October, before the election, did you live in beat 3?—A. Yes, sir; I lived in that beat the whole year.

Q. Did you see anything of mounted or armed men traveling around through beat 3?—A. Yes, sir.

Q. Tell the committee what you saw.—A. There was five came in my house.

Q. When?—A. On Sunday night before the election.

Q. What time?—A. It was, as near as I can come at it, about an hour before midnight.

Q. Were they armed?—A. Yes, sir.

Q. Did they have horses outside?—A. Yes, sir.

Q. What did they do?—A. When they first came up they hailed at the door and told me to open the door, and I got up and opened the door, and they told me to make up a light, and I did it; and they asked me "what about the election," and what was I going to do about it, and I told them. And one man presented his pistol in my face, tolerably close to my face, and told me that I had to vote as he said to vote. He asked me did I know him. I told him I didn't, and he asked me who was I going to vote for, and if I was going to vote, and I went to try to tell him and he cut me off and presented his pistol in my face again, and told me, "God damn you, you have got to vote like I tell you to vote; you God damned niggers has been running over the white people here, and you have been trying to take our country, and this is our country and we are going to protect it." He says, "Do you know me?" I says, "I don't; no, sir; it appears to me I have seen you before." "No, God damn you, you don't know me; I am from the frontiers of Texas; I am here to take Copiah County, and we are going to protect it." And he asked me was I going to vote the Democratic ticket. I replied to him, "Yes, sir," and he asked me was I going to the election. After he asked me that I told him yes, I expected I would go. "Are you going to vote the Democratic ticket, sir?" I never said anything. He presented his pistol on me, and asked me was I going to vote the Democratic ticket, again. I replied to him "Yes, sir"—no, I didn't reply to him, "Yes, sir," and he called for a rope, and they throwed a rope in the house, and he called for it a second time before they throwed it in, and they put it around my neck, and pulled it up against my neck, and sort of tightened it, and asked me if I was going to vote the Democratic ticket. I said "Yes, I expect I am going to vote it." Then he said, "You have got to come right out plain." I said I couldn't come out any plainer than I had; I said "Yes, I would vote it," and he sort of choked me; and there was one standing on my right side and he came up after this fellow cocked the pistol on me, and came around in front of me with a double-barreled shotgun in his hands and a pistol sticking in his coat pocket, and asked me did I know what I promised to do. I told him yes, and this first fellow that came, then he stepped back and asked me whose place I was living on, and I told him Mr. Smith's place. He asked me how I was going to prove that I would vote the Democratic ticket. I told him I would prove it by all that was there if I got to vote, and he took out his handkerchief and said when I went up to vote I might show Smith the ticket, and hold it open; that they didn't want any folded tickets that day. I said I would do it. This fellow standing on the side of me with a double-barreled shotgun and pistol came out in front of me and said, "Now do you know what you promised to do?" I said, "Yes, sir." He said, "You promise to vote the Democratic ticket, do you?" I says, "Yes." He said, "You will do that or not go to the polls." I said, "Yes, sir." He says, "Now you remember that there is a hereafter to this thing, and if you go there and vote any other way we will attend to you, we will come down to see you on Wednesday night; we will be certain not to miss you. Do you hear me, sir?" I said, "Yes, sir." And they all went out then.

Q. How many were there?—A. I don't know how many there was out of doors; they talked like there was a large quantity of them—like there was about thirty-five or forty of them.

Q. Only four or five came into the house?—A. Just five came into the house.

Q. Where is your voting place?—A. It is called Tailholt.

Q. Did you go up that day to vote?—A. Yes, sir.

Q. Did you vote?—A. No, sir.

Q. Why didn't you vote?—A. I went up there about 8 or 9 o'clock that morning and staid until eleven, and the polls hadn't opened and I went back home. I started very early that morning; it was about two miles or three miles off.

Q. Did you see anybody around the polling place?—A. Yes, sir; a good many men.

Q. Anybody with guns?—A. I saw one man there with a gun; I am certain I saw one man there with a gun. I saw several pistols around.

Q. You did not vote that day, did you?—A. No, sir.

Q. Did you stay at home in your house after that?—A. No, sir; I never staid there from Sunday night, not until the next week.

Q. Where did you sleep?—A. I staid down in Claiborne, in cotton houses around.

Q. Do you know whether the colored people living around you staid in their houses nights, or not?—A. A good many of them didn't stay in their houses. I don't reckon there was a dozen families close around where I lived staid in their houses for a week after election.

Q. Did they sleep in the woods?—A. Yes, sir; some of them staid in the woods.

Q. Had there been firing around there; guns and cannons?—A. There had been a mighty heap of shooting of guns; I don't know whether there was any cannons; I never heard no cannons.

Q. But there was a good many guns?—A. The guns and pistols fired powerful in the nights, and cannons in the day; there would not any shoot at night.

By Mr. JONAS:

Q. How long had you lived in Copiah County?—A. I moved in Copiah County last year in March.

Q. March before the election?—A. Yes, sir.

JEFF. SHIELDS (colored) sworn and examined.

By Mr. FRYE:

Question. You live in beat 3?—Answer. Yes, sir.

Q. How long have you lived there?—A. All my life. I was born and raised there.

Q. Own any property there?—A. No, sir; not much. Very little property.

Q. Are you a voter there?—A. Yes, sir.

Q. Which precinct?—A. Beat 3.

Q. Which polling place in beat 3?—A. Tailholt.

Q. Are you a Republican?—A. Yes, sir.

Q. Always been a Republican?—A. All my life; I never voted anything else. This last time I didn't vote at all.

Q. Did you see any of these mounted and armed Democrats before election?—A. Yes, sir.

Q. Where; tell about it?—A. At my house they came.

Q. What time of night?—A. Sunday night, very early in the night.
Q. Before the election?—A. Yes, sir; the forepart of the night.
Q. How many?—A. Six of them came in my house.
Q. Any outside?—A. Yes, sir; a large quantity; about one hundred.
Q. Were they armed?—A. Yes, sir.
Q. With what?—A. Guns and pistols.
Q. Were they mounted?—A. Yes, sir.

Q. What did those that came into your house do?—A. They came up and hollered to me "Hallo," and told me to get up, and I got up and opened the door, and they told me to raise a light, and they came in and says to me, "Well, old man, we are around to-night electioneering." I told them, "Yes, sir." "We want to know how you are going to vote." I told them I couldn't tell them that; I didn't know that; that was too far ahead, and I had to wait until the day come before I could tell them what I was going to do. They said, "Well, we have got to know right now. How are you going to vote?" I told them I could not say that; it was too hard a case. "Who are you going to vote for?" I said, "I couldn't tell you about that either." "You haven't picked out any man to vote?" "I couldn't tell you who I have picked out to vote and who I haven't, though I thought I was a free man to vote for whom I pleased." "Well, sir, we just came around here to-night to advise you, and tell you how we wanted you to vote. We want you to vote the straight Democratic ticket, or else you don't vote none at all. You go there and vote the Democratic ticket, and if you don't do that we will kill you certain." I said, "Gentlemen, I can't do that; I never did it in my life, and I will not do that; I can't do that, not at all." There was a young man standing by me with a pistol in his hands, and he throwed his pistol on my breast and says, "You say you won't vote the Democratic ticket, sir?" "No, sir." "You just say you won't vote the Democratic ticket and I will shoot your heart out of you, you damned son of a bitch; I will shoot you right here; I will shoot you and kill you right here." McGinnis was in there—he lives in our neighborhood—and he says, "We didn't come here to kill anybody."

Q. Who is McGinnis, a white Democrat?—A. Yes, sir; I think he is a Democrat; I don't know much about his politics. He says, "Well, we didn't come here to kill anybody; we came here to advise people, and to talk to them, and get them to vote the Democratic ticket if they will do it, and we can get them to do it." I said, "Mr. McGinnis, I can't vote the Democratic ticket." "Well," he says, "throw me that rope and we will hang him."

Q. McGinnis says so?—A. Yes; he says, "By God, we will hang him or kill him right here, and make him vote the Democratic ticket." Somebody threw the rope in, and he commenced tying and fixing it in his hand; and he said to me, "Now, old man, I don't want to hurt you at all; but you say you won't vote the Democratic ticket?" "No, sir; I can't do it." "Well, you just tell us, then, you will stay at home." I said, "Gentlemen, before I will promise you that I will go there and vote the Democratic ticket, before I will tell you that, I will stay at home. It is a thing I never did do and never expect to do. I will stay at home first." Well, he took my name then. That crowd of men were satisfied about that part. Then they went out, and Mr. Wheeler came up on my door-step and said, "Old man, I want to know, by God, how you are going to vote."

Q. Was that Ras. Wheeler?—A. Yes, sir. I said, "I told those gentlemen out there how I was going to do, and I can't tell you no more." "I will tell you what is the fact," he says; "if you leave here Tuesday

to go to Tailholt, intentionally to vote the Independent ticket, you will have somebody digging for your grave, for I will put you into the earth as certain as hell." That is the most of what he said to me.

Q. Did you go to Tailholt?—A. Yes, sir; I started there, but I didn't get right to the very place itself. I met Mr. Bufkin and several other gentlemen, and they told me there was not going to be any election, and it wasn't worth while to go there; and we turned around and went back home.

Q. Did he tell you why there was not going to be an election?—A. He said they could not vote and carry an election under the mouth of guns.

Q. So you all turned around and went back home?—A. Yes, sir.

Q. Weren't any of these men you met Democrats?—A. No, sir.

Q. They were Republicans?—A. Yes, sir.

Q. Did you see guns around there?—A. Yes, sir; I saw guns around there, and a parcel of men passed me with guns.

Q. You did not go up that day?—A. No, sir.

Q. Did this have any effect on you; did you stay at home?—A. Yes, sir; I staid at home. After that I never went anywhere.

Q. How about your neighbors; did they take to the woods?—A. Yes, sir; all of them, I think. There was not a neighbor three or four miles around me that staid home a night. That lasted about a week before they got reconciled to staying at home.

Q. How far was this from Hazlehurst, your neighborhood?—A. Some call it 24 miles, but I always called it 26 miles from Hazlehurst.

Q. How long a time were these men around in that part of the county, mounted men?—A. Right around where I was? I don't think they were right around in the neighborhood where I was any longer than Saturday and Sunday night.

Q. Did you hear them Sunday night?—A. Yes, sir; Saturday and Sunday night before the election.

Q. What did you hear?—A. I heard a good deal of shooting; very large reports of guns going on all night Saturday night, and pretty nigh all night Sunday night all around through the country.

Q. Did you hear any cannon, do you remember?—A. Well up towards the pine ridge old place I heard cannon up there very frequently and very loud. I taken them to be cannon, I don't know what else they could have been.

Q. Did you see them go into anyone else's house besides yours?—A. No, sir; I did not.

Q. Did you see them break anybody's door open?—A. No, sir.

Q. Did they break open your door?—A. No, sir; I got up and opened my door for them.

Q. The colored men did not come in to vote that day, did they?—A. No, sir; only the ones that went down and voted the Democratic ticket.

Q. How many Democratic colored men are there in your precinct that you know of?—A. I don't think there is any true-hearted ones there; those that did vote the Democratic ticket, I think, were overpowered and made to do it.

THOMAS SINCLAIR (colored) sworn and examined.

By Mr. FRYE:

Question. Do you live in beat 3?—Answer. Yes, sir.

Q. How long have you lived there?—A. Nearly ten years.

Q. Where did you live before you lived at beat 3?—A. Hazlehurst.

Q. Were you once a candidate of the Democratic party for secretary of state?—A. Yes, sir.

Q. What year was that?—A. 1869.

Q. Who was candidate for governor with you?—A. Judge Dent.

Q. Are you a property holder?—A. Yes, sir.

Q. What property have you there?—A. I own about a thousand acres of land, a steam-mill, and good stock of all kinds; sheep, cows, hogs, oxen, wagons, and mules and horses.

Q. You have not been a Republican at all, have you?—A. No, sir.

Q. What were you this last year, Independent?—A. Yes, sir.

Q. Will you state what came under your observation touching the election this year in beat 2?—A. About the time the excitement got up pretty high I left.

Q. Where did you go?—A. I went to Jackson to keep out of it.

Q. You were afraid of injury?—A. Yes, sir.

Q. What excitement did you see that made you leave?—A. There was a colored man who belonged to the club——

Q. A Democratic club?—A. Yes, sir; who lived a neighbor to me, and he was a particular friend of mine, and he said he didn't want me hurt, and he came to my house about 10 or 11 o'clock at night and got me to go with him, and we put out, both of us, to go to Jackson, and I intended to stay till after the election.

Q. When did you go to Jackson?—A. On the Thursday before the election.

Q. How long did you stay in Jackson?—A. Until Saturday night.

Q. Then, did you return?—A. Yes, sir; I heard of a great deal of trouble down there, and I got uneasy about my family, and I concluded I would come back and get with them, and if they had to go I would go with them.

Q. So Saturday night you got back to your family?—A. I came back to Hazlehurst Saturday night. I live 15 miles back in the country, and never got home until 12 or 1 o'clock Sunday.

Q. State what you saw on that Saturday night and the next Sunday night before the election?—A. On Saturday night I didn't see anything of any note. I came down on the midnight train and landed at Hazlehurst about midnight. I got a room and staid all night, and the next morning I footed it out home part of the way, and this friend of mine went on home and sent my boy after me, and he met me on the road, and that evening a band of these armed men rode right along by my door. I live on the public road.

Q. Mounted and armed men?—A. Yes, sir.

Q. How many of them?—A. I don't know. I was not right at the house when the first ones passed, and I didn't count those that passed in my presence. I know several of the men who did pass. There was five or six that passed in my immediate presence after I got to the house.

Q. Were those white Democrats that you knew?—A. Yes, sir.

Q. What did they do that night?—A. I don't know; they didn't do anything to me, they never disturbed me at all.

Q. What do you know about their shooting of Frank Hayes and wife?—A. That was done on Saturday night while I was in Jackson or Hazlehurst.

Q. Were they neighbors of yours?—A. Yes, sir.

Q. Did you know they were shot?—A. No, sir; I never saw it. I simply heard about their being shot.

Q. What was the effect of these midnight raids on the colored people

around in that country?—A. I found all the hands on my place (and I could hear the same thing, in fact, I saw a good many women and children) scouting from different parts where they thought they would be most likely to be attacked, into parts where they thought they could not be, and staying about neighbors that they didn't think they would visit.

Q. How many hands did you employ?—A. I had two families on my place besides some hired hands.

Q. What has become of all of them?—A. They were all in the woods laying out when I came home.

Q. So far as you know, were the colored men generally lying out in the woods?—A. Yes, sir; everybody I could hear of were scared into the woods, and a good many of the women and children, too.

Q. How long did that last?—A. Well, it was a week or so after the election before they became reconciled, most of them, to stay at home.

Q. Did you go and vote, yourself?—A. No, sir.

Q. Why not?—A. I said I could not vote under such cover as that, such an excitement. If I could not vote peaceably and quiet, like a citizen, I would not vote at all, and I did not go to the polls.

Q. What was your precinct?—A. Ferguson's box.

Q. Did the colored people around you go and vote?—A. Yes, sir; some few in the neighborhood went to vote.

Q. As a rule they did not go and vote?—A. No, sir.

Q. Why don't you go off; you are a man of property; why don't you leave the country?—A. I have offered my property at what I call half value to get to go away. I was not able to go without money, and I tried to sell it but I could not.

Q. What was a fair value for your property?—A. My tax value is $4,000.

Q. What did you regard it as worth before these occurrences?—A. I would not have taken $6,000 if everything had been straight.

Q. What have you offered it for?—A. $3,000.

Q. Can you get anybody to buy it at $3,000?—A. No, sir.

Q. Is there any sale for property around there now?—A. No, sir; I can't find none.

Q. If you could sell this for half of what it is worth, would you leave the country?—A. Yes, sir.

Q. Why would you leave it?—A. I want to go where I feel I would be a citizen of the country I live in. I don't feel like I am a citizen there, and haven't since that excitement.

Q. Have you done these men any injury in your life?—A. No, sir; I have been with the Democratic party all my life up to this time.

Q. What made you go with the Independent party this time?—A. Well, I felt like that the Democratic party was not exactly carrying out their promises they made to the colored people. There had been a good deal of bull-dozing before that.

Q. How much of a family have you?—A. Seven children.

Q. And a wife?—A. Yes, sir.

By Mr. JONAS:

Q. No attempt was made to molest you or your family, was there?—A. No, sir.

Q. You know the people of Copiah County very well, do you not?—A. Yes, sir.

Q. And the Democrats generally of Hazlehurst and the county?—A. Yes, sir.

Q. Do you know what is the general feeling among the masses of the Democratic party of Copiah County; do you know whether or not they approve of these outrages which you have been describing?—A. I do not think the majority of them does, sir.

Q. You think from your knowledge of them that a large majority of them are conservative, law-abiding people?—A. I have summed it up in my estimation in this way: I have frequently told the white people that I thought there was about two-thirds of the white people in Copiah County that was perfectly willing for the colored people to stay there and have an equal showing through the battles of life, but there was about one-third bound on extermination or reducing the colored people to a worser state than slavery. That has been my private opinion, and I have expressed it publicly.

By the CHAIRMAN:

Q. Have you ever known a Democrat to refuse to accept an office, (either a county officer, or a congressman, or any higher officer in the State), which he got from an election into which methods of this kind entered?—A. No, sir.

By Mr. CAMERON:

Q. Did the peaceable or turbulent portion of the Democratic party appear to have control of things in your county last fall?—A. Well, sir, the thing occurred under such an excitement that I couldn't tell which was in favor and which was not, though there was a great many men talked to me after the thing was over and assured me. I told them if they didn't do something or other, or guarantee us colored people some protection, we were all going to leave, and if we could not get off in any other way we would walk off. And a great many of them told me that we all mought rest easy; that that thing was all over with and never would be again; that the colored people would be protected just the same as they ever were.

Q. Have any of these Democrats come out publicly and made speeches denouncing the outrages of last fall?—A. No, sir; I haven't heard of one. I suggested myself that they ought to call a meeting and keep the colored people from emigrating. The colored people were very much dissatisfied, and didn't feel like they had any protection, and I thought it would be a good plan if they would call a meeting and guarantee the colored people some protection.

Q. Has any such meeting been called?—A. No, sir; not that I know of.

Q. Do you know whether any of the men who were engaged in these outrages have been punished for it?—A. I haven't heard of one.

Q. Was it generally known who were engaged in these outrages?—A. Well, yes, sir; I think it was.

By Mr. SAULSBURY:

Q. Have you ever known any crimes to be committed by Republicans in your county at all, of any kind, such as larcenies or anything else?—A. Stealing? Oh, yes, sir.

Q. Did you ever know of a Republican meeting being called for the purpose of denouncing those larcenies committed by Republicans?—A. No, sir; I do not know that I did.

By the CHAIRMAN:

Q. These persons who told you that they thought the thing would not happen again, and that the colored people would be protected; did

they say they would be protected unless they allowed the Democrats to have all the county offices or control in future?—A. Mr. Sexton, here, had a long talk with me after the election. I was complaining that the colored people were very much dissatisfied, and I was myself, and he assured me that the thing was all at an end now, and that the colored people were going to be protected, and that he was going to see to it for one.

Q. How was it about their voting?—A. He said that there never would be any more of it. I told him that I did not think he or anybody else would be allowed to come out in opposition to the Democratic party, and I told him he would be in danger of his life if he did it under those resolutions that were passed there; and he said that he would not be afraid to do it. I told him that they would construe them in that manner. I told him that the resolutions read in such a way that they could be construed in that manner; that no man would be allowed to come out and ask any nigger to vote for him; that he could not do it in opposition to the regular nominee of the party. But Mr. Sexton said he would not be afraid of it. I might have been over-excited. This is only my private opinion; I do not give it as public opinion. But Mr. Sexton assured me that he was going to take hold and prosecute every case that he could get where the colored people were molested that he could find out.

Mr. SEXTON [an attorney from Hazlehurst]. May I have the privilege of asking the witness some questions?

The CHAIRMAN. Certainly.

Mr. SEXTON. Tom, let me ask you this: Didn't I tell you that I was satisfied that the district attorney and circuit judge would do their duty and see that the law was enforced in that county?—A. Yes, sir.

Q. Don't you believe that the circuit judge and district attorney are conscientious men and will prosecute these violations of order?—A. I don't know; things have got in such a fix that I have lost confidence in everybody, like the old man Martin said of his son. He said he had lost confidence in everybody but his son, and he had lost confidence in him, too.

WILLIAM JORDAN (colored) sworn and examined.

By Mr FRYE.

Question. Do you live in beat 3?—Answer. Yes, sir.

Q. How long have you lived there.—A. Ever since I was born.

Q. A. Have you a family?—Yes, sir.

Q. A wife and children?—A. No, sir; nothing but a wife.

Q. Have you lived in beat 3?—A. Yes, sir.

Q. What is your voting place?—A. Tailholt.

Q. Tell the committee what you saw before the election, of these mounted and armed men.—A. Well, on Saturday night before the election, just about an hour before day, there was a crowd of men came to my house, and I woke up about the time they got inside of the yard, and by the time they got inside of the yard they stopped, and I heard them say, "Close up all around to the other door and them windows," and when I heard them say that I got scared and I rolled out of bed. They came to the door and they hollered a third time, "Open the door." And I never answered, and in that time the back door flew open and there was about six or seven men followed right in with their pistols all presented at my bed, but I was under the bed and my wife commenced hollering, and some of them said they were not going to hurt

anybody, and by that time when they said that I came out from under the bed, and when I came out from under the bed they asked me how it was with me and politics to-night. I told them I didn't know anything about politics. They asked me didn't I join a club down here about John Smith's. I told them no, I never joined a club in my life. They said they were going around to tell we black people how to vote, and they said they were not going to vote but one ticket at Tailholt Tuesday morning, and that was the Democratic ticket, and if I thought I couldn't stomach the Democratic ticket I hadn't better come around at all; if I voted any other ticket except the Democratic ticket they were going to start Wednesday night, after the election, and have a regular hog-killing time, and they said they were going to take some of the leaders first.

Q. What else did they say to you?—A. They told me now not to act a fool and go running about. They told me to stay in my house; that if I got to running about I mought get shot, and they would be back betwixt now and the day of the election to see. So I done left my house.

Q. Where did you go to?—A. I went to the woods.

Q. How long did you stay in the woods?—A. Just exactly one week.

Q. Did you go to Tailholt to vote?—A. Yes, sir; I went up there that morning.

Q. Did you vote?—A. No, sir.

Q. Why didn't you vote?—A. They told me if I voted any other than the Democratic ticket they were going to have a regular hog killing time, and that scared me off.

Q. Did you see any guns around there?—A. Yes, sir.

Q. Did you hear these people around in your neighborhood?—A. Yes, sir.

Q. Firing guns?—A. Yes, sir.

Q. How many times; more than one night?—A. I heard them two nights.

Q. What effect did it have on the colored people all through that neighborhood?—A. It looked like it had scared them all nearly to death.

Q. Did they stay at home?—A. There was only a few of them staid at home.

Q. Where did they go to?—A. They taken to the woods.

Q. Women and children, too?—A. Yes, sir; indeed I know mine went to the woods.

Q. About how many men were these that came to your house that morning?—A. There was about twenty, I reckon, came in my house.

Q. Did they have guns?—A. Yes, sir; guns and pistols.

Q. How many were there outside?—A. They told me for to go to the door and look; that they had 600 out there.

Q. Did you go to the door and look?—A. Yes, sir; I went to the door and looked, because they went up there about 100 yards from my house and made up a big fire and staid there, I reckon about a half an hour and more.

Q. How many men do you think you saw?—A. I don't know. It looked pretty much like they said, at least I thought it was.

Q. Were they on horseback?—A. Yes, sir.

Q. Did you hear anything of a cannon firing around in that part of the country in the night?—A. I never heard it in the night. I heard it on the Sunday evening.

JOHN SMITH (colored) sworn and examined.

By Mr. FRYE:

Question. Do you live in beat 3?—Answer. Yes, sir.
Q. How long have you lived in beat 3?—A. About fifty years.
Q. Are you a property holder?—A. Yes, sir.
Q. What do you own, land and houses?—A. Yes, sir.
Q. And cattle?—A. Yes, sir.
Q. Are you a Republican?—A. I have been that.
Q. Always been a Republican?—A. Yes, sir.
Q. Did you see anything of these mounted men on Saturday and Sunday?—A. Yes, sir; I saw them.
Q. Around in your neighborhood?—A. Yes, sir.
Q. Did they come to your house?—A. Yes, sir.
Q. What did they do to you?—A. They didn't do anything, any more than call for me. I got out of the way there, and they shot into a store.
Q. Into your store?—A. Yes, sir.
Q. Were you in the habit of sleeping in your store?—A. Yes, sir.
Q. On the counter?—A. Yes, sir.
Q. Did they shoot into it in the night?—A. Yes, sir.
Q. Where did the bullets go—where you were in the habit of sleeping?—A. Yes, sir; they just ranged up and down lengthwise of the counter.
Q. Where were you?—A. Over the fence, about twenty or thirty steps from the store.
Q. Hidden there?—A. Yes, sir.
Q. They didn't find you, did they?—A. No, sir.
Q. Did you take to the woods?—A. Yes, sir.
Q. How long did you stay in the woods?—A. About a week or a little more.
Q. Did your family stay out?—A. No, sir; they didn't.
Q. Were they frightened?—A. Yes, sir.
Q. What became of the colored people generally in your neighborhood?—A. They all taken to the woods pretty much.
Q. About how long did they stay in the woods?—A. Some staid longer than others. I got news that they were going to kill me and another man and we staid longer than others did.
Q. You voted, didn't you?—A. No, sir.
Q. Why not?—A. I got most there, and I saw a gentleman come out with a double barrel shotgun, and he said, "If any of the damned sons of bitches come down here they are going to shoot you," and I turned around and went back.
Q. Was he a Democrat?—A. I don't know; I reckon he was; he had a gun.
Q. Was he a white man?—A. Yes, sir.
Q. What kind of a store did you keep?—A. I was selling whisky at that time. I havn't kept none since.
Q. You were in the habit of sleeping on the counter in your store?—A. Yes, sir.

ALECK GOHAGEN sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In beat 3.
Q. Are you a man of family?—A. I have a wife and adopted daughter.
Q. Are you a property holder?—A. Yes, sir.

Q. What property do you own?—A. I hardly know. I think I gave it in as about $4,500.

Q. You are a real estate holder?—A. Yes, sir.

Q. You mean you gave it in to the assessors?—A. Yes, sir.

Q. It is worth more than that, I suppose?—A. I paid about $10,000 for it.

Q. Have you cattle and live stock?—A. Yes, sir.

Q. What is your farm; what do you raise on it?—A. On one of them cotton, corn, and sugar cane.

Q. How many men do you employ?—A. I don't know.

Q. Quite a number?—A. Yes, sir. I have got it cut up into little farms. I think there are about ten settlements or little farms.

Q. They are your tenants?—A. Yes, sir.

Q. Have you any idea how many tenants you had or have had?—A. No, sir; I have not.

Q. What has been your politics most of the time?—A. Democratic.

Q. How long were you a Democrat?—A. I was a Democrat from 1867 to I think about 1876 or 1877, maybe.

Q. Then what did you become?—A. I became nothing. I became a sort of mixed man.

Q. Since then you have voted as you please?—A. I vote as I please when I vote at all.

Q. But have not connected yourself with a party?—A. No, sir; not until after this raid. I was forced of course to go to some party. I could not stand on middle ground any longer, and I thought the Democrats had got imprudent and wrong, and of course I went to what I call the Republican party. I don't claim any independent about it.

Q. What did you see of the troubles in the last election?—A. The first I saw was about two weeks before the election, I think, or it might have been three weeks. I was riding off my place hunting up oxen. I saw three or four men riding through an old field with shotguns, guns at least, two of them. I was close enough to know them, and I reckon I know the other two, but still I knowed two of them, and I was close enough to see them and talk with them. I thought they were going to hunt. I never inquired about their business. They were neighbors of mine. In the evening, after hunting my oxen, I came back, and they rode up by a house there and the old man inquired of them what had taken place at the Butler place. "Those fellows," they said, "never met us out there, they never came, and we never had any difficulty." I said, "What is the matter?" I never had heard anything of it before. They said there was to have been a Republican speaking at the old Butler place this evening, and we went up there, I think they said, to protect their speakers. Let me see how they told me—no. "We went up there, and if there was any row wanted we went up there and was ready for them." That is, I think, about what they said to me.

Q. Were they armed?—A. Yes, sir; they had double-barreled shotguns.

Q. Mounted?—A. Yes, sir.

Q. Were they Democrats?—A. Yes, sir; they were Democrats.

Q. What next did you see?—A. The next I seen there was five men hollering at my gate on the Sunday night before the election on Tuesday, and said they wanted a drink of water, and I asked them in to get the water. I drove the dogs off them, and they came in and got some water, and I asked them to have chairs, and they sat down. I knowed one of them, in fact I knowed two of them, and they asked me how politics was running down in that part of the country. I told them I didn't really know; that I had taken but very little interest in

politics—taken none. I said, "I have taken no interest in politics." I said, "We are sort of politically dead in this part of the country, though," I said, "I have heard of a powerful stir, breaking up houses" the night before, which was Saturday night, "and it has got the people powerfully stirred up." "Well," says they, "all we mean is this: we mean to carry this election at all hazards. We are tired of Republican rule here, and we don't intend to have any more of it." Then they asked me did I hear of the killing of Tom Wallis, and I told them that I had heard of it.

Q. Were these men armed?—A. I didn't see any guns at all. There was a gang at the gate. They told me they left the guns at the gate.

Q. There was another gang at the gate?—A. There was 144 men altogether, they said. It looked to me, when they shot the guns off, after they left, that there was, and I reckon there was. They were a mile or so from there when they shot them off.

Q. You heard that?—A. Oh, yes, sir; I suppose they were correct about it.

Q. Go ahead.—A. I went to the election.

Q. Where?—A. At Tailholt; and when I got up there men were walking about and were hollering, sort of like hunters. I went up quietly and spoke to them and went on; and Mr. Outen, a Methodist preacher, said to me——

Q. Is he a Democrat?—A. Yes, sir. Says he, "Gohagen, I never saw men in such a fix as these men are in." I said, "It does seem like there is something wrong about it." "Well," he says, "they are mad." He says, "I will tell you a fact—they will kill; there is no mistake about it; they will kill," says he, "kill people. There are no ifs and ands about it—they will kill people, sure; they are enraged, and I never saw men in such a fix." I said, "Mr. Outen, I didn't know there was such an excitement here; I didn't know they were going to kill anybody." "But," he said, "you may rest on that, they will kill people." There was a man standing there with a double-barreled shotgun, and, as I stood talking with Outen and Bufkin, and others, that man started off as though he was going home, and somebody called him and went and talked with him; if I ain't mistaken, it was Mr. Starnes.

Q. Is he a Democrat?—A. Yes, sir. I never noticed who it was until the man came back with his gun. When he came back with his gun he walked up close to us and jammed his gun against the ground and said, "God damn it, I am tired of standing here; damn it, if you are going to have blood, let us go into it." I got on my horse and went home, and that is the last I know of it.

Q. You did not vote?—A. No, sir.

Q. What effect did this sort of thing have on the colored people in that part of the country?—A. The principal part of them were scared very badly.

Q. Did they take to the woods?—A. Yes, sir.

Q. How long did they stay in the woods?—A. They staid there five to eight days.

Q. What became of your tenants?—A. I really don't know what did go with them. For a night, though, I think the women and children—I know, in fact, they did, for my wife furnished them some bedclothes, and they went into an office I had.

Q. What became of the men?—A. I think the men went in there, too. I had a large, long office there close to my yard, and in fact I was so stirred up and I saw they were gone from their houses, and I would see them once in a while, and my wife told me she was furnishing them bedclothes. She said they were too scared to stay in their houses.

Q. Did you stay at home?—A. Yes, sir, I staid at home.

Q. Do you know if these colored people voted that day?—A. There didn't anybody vote while I was there, and I staid there until about 2 o'clock.

Q. What effect has this thing had upon property there in that section?—A. Well, sir, as a general thing, the colored people are offering their property for half price. I am offering mine for two-thirds.

Q. Do they find takers?—A. No, sir.

Q. What do you want to do; go off?—A. Yes, sir; I would leave the country if I could get two-thirds of the value of my property.

Q. Why can't you stay there?—A. I can hardly think under the circumstances that my property and my life, and all, is safe, although there are a good many men who tell me that it is. I have talked with several, like Mr. Sinclair; said he talked with Mr. Sexton, but after thinking over it I think it to be very strange that they didn't arraign those parties for trial or something, or stop them, if they intended to do it.

Q. Everybody around there knows who was in this crowd?—A. Yes, sir; the most of them, with the exception of 25 from Hazlehurst, were neighborhood people.

Q. About 25 came from Hazlehurst?—A. Yes, sir.

Q. Have you any doubt that the people down there know who those people in the mob were?—A. There is no doubt that the people know who they were.

Q. They were Democrats, I suppose?—A. Every one of them claimed to be a Democrat that was in it.

WILLIAM H. BROWN sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. Hazlehurst.

Q. How far from the depot?—A. I suppose 300 or 400 yards.

Q. How old are you?—A. Forty-three.

Q. Are you a property-holder?—A. Not now.

Q. Are you in business?—A. Yes, sir.

Q. What business?—A. Blacksmith.

Q. You live there in the village?—A. Yes, sir.

Q. Have a shop in the village?—A. I am working for another man.

Q. Do you know Mr. Hargrave, the sheriff?—A. Yes, sir.

Q. Did you have any talk with him before the election?—A. Yes, sir.

Q. What did he tell you about the killing of Mr. Matthews?—A. Well, on Monday evening he asked me if I would go down to Hall's Hill, Mount Hope now, for him, and I told him I would go. I thought over it a little, and he said to me, "I reckon you had better not go; stay here, and do all you can for me here." I said, "Well, I will do so." I said to him, says I, "My family is very much excited and scared, and," says I, "I do not understand this thing, and ask you for information," and he remarked and said that he didn't know much more about it than I did. I asked him where those men were going to when they left Hazlehurst, and he said that he thought they were going to beat 4, and, he says, "I worked pretty faithfully," he says, "in favor of Matthews to-day, but I don't know whether he will give me any thanks for it or not, but I did all I could."

Q. Did he say they were going to kill Matthews?—A. He said he didn't think there would be much peace while he lived.

Q. Not while Matthews lived?—A. No, sir.

Q. Didn't he tell you that they came in for the purpose of killing Matthews, and that he had done what he could to prevent it?—A. No, sir; he said he did all he could for him, and that he didn't know whether he thanked him for it or not; but he worked mighty faithfully.

Q. Did he say anything about going to beat 4?—A. I do not think he did. When I asked him about it he said he didn't know much more about it than I did.

Q. You agreed to vote for Hargrave, didn't you?—A. Yes, sir; I intended to vote for him.

Q. You promised to do so, didn't you?—A. Yes, sir.

Q. Did you go to vote?—A. I did.

Q. Did you vote?—A. No, sir.

Q. Why not?—When I got up near the court-house I met Mr. Wolfe, who was candidate for chancery clerk.

Q. The Democratic candidate?—A. Yes, sir; and he told me he didn't think it was safe for me to go up then; that Mr. Matthews was killed and there was quite an excitement up there, and guns on the street, and he didn't know what it would result in, and I went back with him as far as he went and from there on home and never went to the polls.

By Mr. JONAS:

Q. What are your politics?—A. I am a Republican. I should have voted the Democratic ticket this time for the first time if I had voted it. It was the men on the ticket, and not the party, that I was going to vote for.

Q. You know Mr. Hargrave very well, don't you?—A. Yes, sir; I have known him for many years.

Q. What sort of a man is he; what is his character?—A. I have always thought him a mighty quiet and good man.

Q. Have you always found him peaceable and well disposed?—A. Yes, sir.

Q. Disposed as far as possible to preserve law and order?—A. Well, I have always thought so until the election, and then it didn't appear as if anybody was disposed to then.

Q. You saw no evidence of Mr. Hargrave's taking part in any violent demonstrations, did you?—A. No, sir; all I ever saw him do was that he went out and met them when they fired, out at the edge of the corporation.

By Mr. FRYE:

Q. Have you sold your property since the election?—A. The most of it. I sold my land before.

Q. How long before?—A. I sold it last January was a year ago.

Q. Are you going to move away?—A. Yes, sir.

By Mr. SAULSBURY:

Q. How much is the property worth that you sold since the election; how much did you get for it?—A. I had a small place.

Q. You sold your place before the election?—A. Yes, sir; about a year before.

Q. Have you sold any property since the election?—A. Yes, sir.

Q. How much?—A. I have sold about $400 worth.

Q. You still reside in Hazlehurst?—A. Yes, sir.

W. L. ALLEN sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. I live in beat 3.

Q. How far from Hazlehurst?—A. Twenty-one miles.

Q. What is your politics?—A. My politics before this last election? I voted a split ticket.

Q. Did you see any of these disturbances in Copiah County?—A. Yes, sir.

Q. State what you know about them?—A. Well, on Saturday night before the election, I saw an armed crowd of men——

Q. Where?—A. They were near my brother's house in beat 3, and I was staying at my brother's house at the time, and they were near his house. His house was right opposite the big road; and they had sent him word before that they were coming to mob him on Monday night previous to the election, or just before the election. They stopped down below our house there apiece, and fired the guns; about 75 shots. It waked me up, and I went out on the gallery and listened to them. I didn't know but what they were on the way to his house at the time, and I went out on the gallery to see if they were coming that way, and I found that they were, and so I staid there on the gallery until they came up; but they did not come up to his house. I went out, and just before they got to the house they stopped and hollered, "Forward, march," and drilled there awhile, and yelled, but didn't shoot any guns at his house, but just about half a mile below his house; and they came on up in front of his house then and drilled awhile, and then passed on by and went on around to the back place, on the same place, to a darky's house, and called for him, and he was not there, and they broke his door down and went in, and left word there that they would get him if he voted the Independent ticket; that they would get him between that and Wednesday night. And on Monday night again they met somewhere about the same place where they did on Saturday night, and fired their guns again, and came in in the direction of my brother's house. My brother and myself both got up then and went out on the roadside to see if we could tell who they were. It was cloudy. The moon would have shone if it had not been cloudy. It was too dark for us to tell who they were, but there were seven of them, and they cut up around there right smart, and fired their guns off there in the public road, and marched on and went to this same darkey's house again. And on Sunday the same gentleman that this darkey stated about awhile ago, Mr. McGinnis, he came to my brother's house and wanted to borrow my saddle and ride off, and said he would bring it back in a few minutes, and I said all right, and he taken my saddle and went off, and after he had left I found out that he was out with the mob Sunday night, and went to his house. I seen them on Sunday evening, six men, with their guns, mounted on horses, and between sundown and dark then I saw three more going in the direction the way the cannon fired. And then the day of the election I was at Tailholt—that was my voting place—and I saw two guns on the ground that day and heard lots of swearing and cursing going on and heard them saying, "We are going to take the box;" and they run my brother off, and they called him a thief and a scoundrel, and everything, to my face.

Q. You say they ran your brother off?—A. Yes, sir; from the polls.

Q. Did he vote?—A. No, sir; he was one of the inspectors over the box, but when they rode up in the morning they hollered out for them to get the guns, and they all started for the guns, and he got down off his horse and said, "Gentlemen, I came here to hold a peaceable and quiet election—my part of it—and I don't feel disposed to hold an election under a double-barreled shotgun, and if you are going to take the box I will give it up and go back home;" and he unlocked the box and sat

it down on the ground and told them to take it, and he turned around and went off; and they kept calling him a thief, and everything, to his face, and finally said the reason he left was because he was a coward; and I remarked that that was not it; that he knew there had been threats made before to mob him, and he knew if he staid there that he would get killed, and he left to keep from getting hurt. As I made that remark my brother-in-law jumped up and made for me, and says, "By God, I want you to understand, sir, that I brought a shotgun on this ground, and by God I can use it, too." And the crowd gathered around me and of course I was afraid to say anything, as I saw them running their hands under their coats. I didn't see any pistols, but there were two shotguns on the ground, and I did not say anything, but I just had to stand there and take the abuse from the crowd.

Q. What was the name of this man, your brother-in-law?—A. S. S. Starnes, jr.

Q. Is he a Democrat?—A. Yes, sir.

Q. Were all these people whom you say thus abused you Democrats?—A. Yes, sir.

Q. Your brother was the Republican inspector?—A. Yes, sir.

Q. Did you yourself hold any office after the election?—A. No, sir. I wanted them to appoint me in his place after he left, but they would not do it. They appointed a Democratic man to hold the election.

Q. Was there anything further which took place at the election?—A. Nothing more than they went on and made threats and swore around there. They did, after the note came that J. P. Matthews was killed; they waived their hats and formed a procession, and went and got their guns where they had been stacked just above the polls.

Q. How did they receive the news of the murder of Mr. Matthews; did they express joy or regret, or what?—A. Joy; they waived their hats over their heads and yelled and whooped. One man who I think was a Democrat, and had been up to that time, and voted the Democratic ticket that day, remarked; he said, "Gentlemen, it don't make any difference how mean a man is, I cannot rejoice over his death"; and about a dozen of them run to him, and got mad and said they could rejoice over his death, and if they were not satisfied, they could kill more; that they would not stop at that.

Q. What was the effect on the Republican vote; did the colored people vote the ticket generally that day?—A. No, sir; there was not a single colored man voted there.

Q. Did you yourself vote?—A. Yes, sir; I voted.

Q. Do you recollect what the vote was at that beat on that day?—A. No, sir; I do not.

Q. Which way was the majority; which party had the majority or the most votes as counted?—A. The Democratic party cast the most votes that day.

Q. What had been the usual vote in that beat before that time?—A. According to the best of my knowledge, the Independents have had the majority.

Q. Is there anything else that you have not related, any fact in this connection? Do you know anything of these visits to the houses of the negroes in the neighborhood?—A. Nothing more than hearsay.

Q. These two occasions, on Saturday and Sunday night, were the only times you saw these mounted men?—A. Yes, sir.

Q. Did you recognize any of them either time?—A. On Sunday evening I did.

Q. Can you give their names?—A. I don't know that I can give all of them; I can give about three of them.

Q. Give such names as you can, if you have no objection?—A. Mr. McGinnis is one; Mose Starnes is another; and John Newton; and I won't be positive, but I think the same S. S. Starnes was in the crowd, too.

Q. Were these men all of one political party?—A. Yes, sir; they were all of the Democratic party. And, furthermore, the day of the election the pastor of the church there in the neighborhood—he was a strong Democratic man—and he came to me, and taking me off one side, told me he didn't want me to think hard of him about the way things were going on; that he could not help it; and he says, "They wanted me to go after your brother and bring him back"; and he says, "I was afraid to go." I asked him why, and he told me, "I want you to tell your brother not to think hard of me." I asked him why. "I was afraid to go and tell him there was not any danger at the polls when I saw there was danger, and I knew he would be hurt, and I didn't want to tell him; and I want you to tell him not to think hard of me for voting and doing as I have done." I believe that is about all.

By Mr. JONAS:

Q. Did you vote yourself on that day?—A. Yes; sir.

Q. You voted the Independent ticket?—A. Yes, sir; I voted the Independent ticket; I didn't care about voting with a lot of murderers, or at least men that I looked upon in that way at that time; and I consider them that now.

RICHARD COXWELL sworn and examined.

By Mr. FRYE:

Question. Do you live at Hazlehurst?—Answer. No, sir; I live 2½ miles east of Hazlehurst.

Q. Were you Democratic inspector for the precinct where Mr. Matthews was killed?—A. I was one of them.

Q. One of the Democratic inspectors?—A. Yes, sir.

Q. Were you in there when he was killed?—A. Yes, sir.

Q. Who else besides you was in there at the time?—A. I think Mr. George Hamilton was there.

Q. What was he—a clerk?—A. No, sir; he was a man who referred to the poll-book; an inspector.

Q. Who else?—A. Mr. George Bankston, Mr. S. D. Burch, and E. B. Wheeler.

Q. That is Ras Wheeler?—A. Yes, sir; and J. P. Matthews.

Q. What time did Mr. Matthews vote?—A. Soon after 9 o'clock; the polls were open about 9 or a few minutes after 9.

Q. Was he the challenger on the part of the Republicans?—A. If he had been appointed as such I do not know it.

Q. Do you know whether Mr. Wheeler had been appointed by the Democrats?—A. I do not know that certain, that he had. I would like to make a little statement there. When they arranged for voting and got things ready there, there was a request made for all to get out of the house except those that had a perfect right to remain there.

Q. That is, the officers?—A. Yes, sir. Mr. Matthews remarked—I heard him remark—he says, "I reckon I have a right to remain here," that "Wheeler and myself are challengers." That is the first I knew of either of them being challengers.

Q. You were the man to receive the votes?—A. Yes, sir; that was the position I occupied myself, as ticket receiver.

Q. Did Mr. Matthews offer you his vote?—A. He did.

Q. Did you receive it?—A. I did.

Q. Did you then hear a gun; as soon as you received the vote, did you hear a gun?—A. Well, pretty soon after.

Q. After you heard the gun, what next did you see?—A. After Mr. Matthews handed me his ticket I called the name J. P. Matthews, that the clerks might have his name. During this time I folded up his ticket, that I might drop it into the box, and whilst Mr. Bankston was referring, as it were, turning to his initials, and the clerk writing his name, there was a gun fired.

Q. What did you see next after the gun was fired?—A. I believe, as well as my memory serves me, I saw Mr. Wheeler.

Q. Did you see Mr. Matthews on the ground—on the floor?—A. I saw Wheeler first.

Q. What was Wheeler doing?—A. He was standing near a side door of the building.

Q. Did he have a gun in his hands?—A. Yes, sir.

Q. What did he do?—A. He soon walked out of the house.

Q. Did you see him unbreeching the gun to take the cartridges out?—A. Well, now, I don't know what he was doing. I saw him doing something to the gun, but I don't wish to state anything but what I know, and if I say that I saw him taking the cartridges out and replacing more there, I could not say that positively.

Q. But you saw him doing something to his gun?—A. Yes, sir; he was doing something to his gun, but I could not say positively, from the fact that he was something over 20 feet from where I was.

Q. Did you hear any conversation between Mr. Wheeler and Mr. Matthews in the town house that morning?

The WITNESS. Previous to the shooting?

Mr. FRYE. Yes.

The WITNESS. Well, yes, sir.

Q. What was it?—A. I don't know.

Q. Was it conducted quietly?—A. I saw them at a distance of perhaps 20 feet from me, or maybe further.

Q. Talking quietly together?—A. Yes, sir; talking low. I did not understand a word they said.

Q. Was there anything excitable or exciting?—A. No, sir.

Q. Any row between them?—A. Not that I saw. I was not expecting anything of that kind to come up, and consequently I hadn't any suspicion of it.

Q. There was nothing about their conversation or demeanor which attracted your attention?—A. No, sir.

Q. When Mr. Matthews offered his vote was he excited or quiet?—A. If he was in any way excited I didn't detect it.

Q. Was he pleasant or otherwise?—A. If he was otherwise I did not detect it.

Q. Did you see any weapons about him when he offered his vote?—A. After he fell I saw a weapon.

Q. I say when he offered his vote, when he was shot, did you see any weapons about him?—A. No, sir; from the fact that I was not looking at him when he was shot.

Q. Do you know who picked up the weapon that was down under him when he fell?—A. It was not under him.

Q. Where was it?—A. Well, comparing this stick to his body [indicating], the pistol was lying about there [indicating], near his body.

Q. Near the side of him?—A. Yes, sir.

Q. Near the hip pocket?—A. Yes, sir.

Q. Do you know who discovered it and took it up?—A. I think I discovered it first myself, for Mr. Matthews was standing I think within 4 feet of me when he fell.

Q. Do you think you discovered the pistol first?—A. Yes, sir; but I didn't pick it up.

Q. Do you know who did pick it up?—A. Yes, sir.

Q. Who?—A. Mr. McGinnis.

Q. What McGinnis is that?—A. Jim McGinnis.

Q. The one the witnesses have talked about as being in the mob?—A. Yes, sir; I think so.

By Mr. SAULSBURY:

Q. Did you see that pistol before Mr. McGinnis came in?—A. Yes, sir.

By Mr. CAMERON:

Q. You have stated that you saw these two men speaking together quietly in a certain part of the room.—A. I judged them to be quiet. If there was any feeling between them in this conversation I didn't detect it.

Q. And afterwards when the board requested all those who had no business in the room to go out, Mr. Matthews stated that he reckoned he had a right to remain there, as he and Wheeler were challengers?—A. Yes, sir.

Q. Was that before or after he and Wheeler had this conversation in the room?—A. It was just after, if I mistake not, that they had this conversation. I do not think I am mistaken on that point.

Q. That is your best recollection?—A. Yes, sir.

By Mr. JONAS:

Q. If I understand you correctly there was no one in the room after this shot was fired except the persons you have mentioned—the inspectors of election, Mr. Wheeler, and Mr. Matthews?—A. Yes, sir; if there were I have no recollection of it. There had only been a short time since they were requested to go out as it were, and then the polls of election were announced open and Mr. Matthews was the first one that presented a ticket, and if there was any one in there that hadn't got out by this request I don't remember seeing them.

Q. You saw nobody?—A. No, sir; not that I remember of.

Q. But people came in after Mr. Matthews was shot and fell, did they?—A. Yes, sir.

Q. When did you first see this pistol lying by the side of Matthews; as soon as you saw him fall?—A. I did not see him fall.

Q. You saw him soon after he fell?—A. Yes, sir; as I remarked in the first outset, I wish to state so that you may understand me. When the gun fired, the clerks to the left attracted my attention and Mr. Bankston, who was referring to the book of names. The gun fired; I expect it rather frightened me, and probably I jumped; I don't remember that I did or did not, and I looked down towards the side door, and the first man I saw in that direction was Mr. Wheeler.

Q. With a gun?—A. Yes, sir; he had a gun in his hand; and perhaps as long a space of time as you could count one, two, three, four, I looked, as it were, near in front of me, and there lay Mr. Matthews.

Q. Did you see the pistol by his side?—A. Yes, sir; when I looked down there lay the pistol. No one had been as near to him when I saw the pistol as I was right then myself, I am satisfied.

Q. Nobody had come near him?—A. No, sir.

Q. Mr. McGinnis had not come in?—A. No, sir; not when I came in. I had not moved off my seat; I was sitting on the counter.

Q. As quick as possible after you heard the report, you looked in the direction of the report and saw Mr. Wheeler with a gun?—A. Yes, sir.

Q. Then you saw Matthews with a pistol beside him lying prostrate?—A. Yes, sir.

Q. And then people began to come in?—A. Yes, sir. Very quick people began to come in.

Q. You say there was nothing in the world to lead you to suppose that such an occurrence would have taken place?—A. If there was I didn't detect it. Now if I had been expecting such a thing, or had the least idea of such a thing, I might have seen something, probably, that would have led me to believe such a thing would take place, but I hadn't the least idea of it.

Q. You had heard nothing to indicate it?—A. No, sir; nothing to indicate such a thing.

Q. Have you ever heard either from Mr. Matthews directly or from others, of his making threats against Democrats? Do you know whether he was in the habit of carrying arms?—A. I do not know of my own personal knowledge.

Q. Have you heard from others of his statement that he carried arms?—A. Yes, sir.

Q. State what you know in that regard.—A. I heard a man say not long since that Mr. Frank Guynes one day—if I mistake not Guynes said he was in Matthews's store, and Print, as we generally called him, had a pistol there or about him somewhere. Mr. Guynes asked him, says he, "Print, what are you going to do with that pistol?" or "What are you doing with it?" or something of that kind, and he said, "I have got it to kill those damned Democrats with."

Q. What was Mr. Matthews's character as a peaceable man or otherwise?—A. I am not posted. I knew Mr. Matthews when I saw him as I know some of his brothers who are here to-day. I know them when I see them and they know me.

Q. You were not on intimate terms then?—A. No, sir.

Q. You do not know his general character and disposition?—A. No, sir; only from hearsay, and I would not pretend to vouch for those hearsays, all of them especially.

Q. Do you know whether any of the negroes were armed in Copiah County on election day?—A. I do not know it of my own knowledge, but I heard they were.

Q. Were there rumors to that effect?—A. Yes, sir.

Q. Did you hear it from one or several persons?—A. I heard it reported from several; I could not tell you how many.

Q. Where did they say they were in arms; what part of the county?—A. At Brown's store, east of Hazlehurst, for one place.

Q. How far east of Hazlehurst?—A. I think about 12 miles. I don't know that I can state the exact distance.

Q. Did you hear that that was the general rumor about Hazlehurst?—A. Yes, sir; I think so, and then also west or southwest of Hazlehurst, about Spencer's Mill.

Q. Were those rumors prevalent on election day?—A. I heard such there.

Q. Did they seem to be credited by the people?—A. Yes, sir; I think so.

Q. You belong, I understand, to the Democratic party?—A. I vote the Democratic ticket, sir.

Q. Do you know the people of Copiah well, and the persons who compose the Democratic party?—A. I know a great many there, sir.

Q. Do you know whether the Democratic party, the large majority of the Democratic party, countenance or indorse acts of violence or lawlessness?—A. I do not think they do. There may be a few of that principle in that county, as we might say; well, even a few in different counties, in every county; that is my opinion.

Q. What do you think is the general sentiment of the Democratic party of Copiah County in regard to deeds of violence and lawlessness?—A. I think they are opposed to such; I think that is the general sentiment.

Q. What do you think was the general sentiment in regard to the killing of Matthews the day he was killed?—A. Well, now, sir, I hardly know how to answer that question.

By Mr. CAMERON:

Q. You can state whether it was generally approved or not, can't you?—A. I think the killing of Matthews is approved by a great many, and by a good number is very much opposed. I am of the impression, to the best of my knowledge, that the killing of Matthews is opposed by a majority of the county.

Q. That is, disapproved of?—A. Yes, sir; by a majority of the voters of the county.

Q. Do you know, from your knowledge of the general sentiment and feeling in Hazlehurst and throughout the county previous to the election—do you know whether there was any belief that Mr. Matthews was to be killed?—A. I do not know.

Q. You heard of nothing to indicate anything of that kind?—A. I cannot say that I did, from the fact that I went to very few of those political gatherings, and I have never heard but very few political speeches in my life; but very few. I have heard of Mr. Matthews in some political speeches that he would make—I have heard of him using some hard language in regard to the Democrats, but I cannot say that I heard it myself. As many speeches as Mr. Matthews has made in Copiah County, I only remember to have heard him on one occasion, and that was the winding up of one speech when he talked about ten minutes, and I think that was the only speech I ever heard him make.

Q. Was that in this canvass?—A. It was.

Q. What was the character of that speech?—A. I heard nothing of no great importance no way.

By Mr. FRYE:

Q. Mr. Hamilton, the clerk, was there in the town house?—A. Yes, sir; one Mr. George Hamilton.

Q. I didn't understand you to name him?—A. Yes, sir; I named him.

By the CHAIRMAN:

Q. When the people came in after Mr. Matthews was killed did anybody bring any shotguns?—A. I saw a shotgun in the house after Matthews was killed.

Q. Who had it?—A. Now, sir; you are too hard for me. I don't know who brought it in. It mought have been in the house at the time, so far as I know, or it mought have been brought in at the door.

Q. You do not know whose it was or who had it?—A. I think I know who had it in their hand at the time I saw it.

Q. Who was it?—A. Mr. Morrison.

Q. Is he a Democrat?—A. Yes, sir; I think he is.

Q. Is he a relative of Mr. Wheeler's?—A. Yes, sir; by marriage.

Q. What is his relation to Wheeler?—A. Wheeler's son-in-law.

Q. Did you believe on the day of election, or about that time, that the negroes in your county were under arms going to march on the white men?—A. I didn't believe that they were going to march on the white men at that place, at Hazlehurst.

Q. Didn't you think the whole story was as ridiculous a one as could be gotten up, honor bright?—A. Now at this box that I named where the colored voters outnumbered the white voters, that is what I learned they did on the election, in the evening, and I had no right to dispute it.

Q. What occasion had the negroes, if they outnumbered the white people, to arm themselves and march on the whites?—A. As I just remarked, my hearing that such was the case, that the colored people had come armed to this voting place, Brown's store, that I alluded to, under the circumstances I had no right to dispute it at all; I could not say.

Q. Did you ever hear of a colored man carrying a shotgun in that county?—A. Yes, sir.

Q. Did you ever hear of his shooting a white man with it?—A. I have heard of riots, and colored men killing white men.

Q. In that county, have you heard of riots?—A. Well, I don't know that I have particularly in that county.

Q. You have not then in that county, have you; you have not heard of any such thing in that county?—A. I say I don't know that I have particularly in that county.

Q. Now, you say that the killing of Matthews is approved by some and opposed by some in that county; are they pretty nearly divided between those who approve it and those who oppose it, according to your opinion?—A. I don't know; I give you my opinion; I don't know that I have fixed upon a positive opinion upon that point.

Q. I want to know whether your idea is that the people were evenly divided. You said that a good many opposed it and a good many did not.—A. I remarked that I believed the greater number were opposed to it.

Q. That I understand; but are not the greater number, or even the majority in that county—— A. I said I thought a majority. Now, as to how much over a majority, which is the question which you wish me to answer——

Q. Wait and hear the question. My question is, whether the majority in that county have not usually been Republicans?—A. Not of the whites, they have not.

Q. But of the whole county?—A. Well, I don't know; I think it has been pretty well divided.

Q. Pretty evenly divided?—A. Yes, sir.

Q. I suppose all the Republicans disapproved of the killing of Matthews?—A. I don't know about that.

Q. Is not that your belief?—A. I don't know, there may be some to the contrary. But I might say a majority of the Republicans I think disapprove of it.

Q. Don't you think a majority of the Democrats approve of it?

The WITNESS. Are in favor of it?

The CHAIRMAN. Yes.

A. No, I have heard several say they were opposed to it.

Q. But the majority?—A. I have not canvassed the county over to ascertain the sentiments of every Democrat in it.

Q. But can you express an opinion as to whether a majority of the Democrats approve that act or not?—A. I do not know that I can any further than I have already. I do not know how to answer the question any further than that. I know nothing about it only as a guess; I am just guessing about it.

Dr. A. B. PITTS sworn and examined.

By Mr. FRYE:

Question. You live in Hazlehurst?—Answer. Yes, sir.

Q. You are a Democrat?—A. Yes, sir.

Q. Do you know Ras Wheeler?—A. Yes, sir.

Q. At any time subsequent to the killing of Matthews by Ras. Wheeler did you have a conversation with Wheeler touching it?—A. Yes, sir.

Q. Where was it?—A. It was at the Hazlehurst hotel.

Q. Did you and he go to the depot and get the papers from New Orleans?—A. Yes, sir.

Q. What papers did you get?—A. The Times-Democrat; I believe I got both papers, one for myself and one for Mr. Wheeler.

Q. Did you and he proceed to read them?—A. Yes, sir.

Q. In those papers was there an account of the killing of Mr. Matthews?—A. Yes, sir.

Q. State what conversation ensued between you and Mr. Wheeler touching that account.—A. We were reading the account of the killing, and I made the observation relative to the statement of the Times-Democrat that Wheeler and Matthews were enemies—when I read that part of the narrative I stopped and asked him, I said, "Ras., that is not so, is it?" and he said, "No; we have always been on very friendly terms." We began then to read again. He remarked, "No;" he said, "We have always been on very friendly terms," and I believe he said that Mr. Burnet knew that they had always been very friendly.

Q. During that conversation did you not ask Wheeler how he happened to do it?—A. I either asked him or he voluntarily proposed to give me a rather particular account of the killing, so much so that he showed me the different positions that they occupied at the polls, but I do not think that he told me anything about the circumstances connected with it or the cause of it. He showed me where the different inspectors were situated, where he was standing, and where Matthews was standing, and I think that was about all.

Q. Did he tell you that he shot him?—A. I could not say that he did. I naturally inferred that he did, and he may have stated as much. I could not positively state though that he said that he killed him.

Q. Did he describe the situation of the parties?—A. Yes, sir; he described where he was standing when he shot him. Yes, I might say that he said that he killed him.

Q. Did he tell you that he had anything against him when he shot him?—A. He had just previously remarked that they had always been friendly.

Q. Did he not tell you that he and Matthews had a conversation just as Matthews came into the polls?—A. I think I asked him in reference to that, having heard it before. I asked him if they had not a conversation, and I could not state whether he told me that they had, but I

believe though that he told me that they did have. My recollection is not good on that point.

Q. See if you can recall it. Didn't he say to you that he said to Mr. Matthews as he was passing by, "Print, don't vote to-day"?—A. Yes; I believe he did.

Q. And did he not say that Matthews said he should vote?—A. I do not remember that. It occurs to me that he told me that he requested Mr. Matthews not to vote.

Q. He did not say there was any altercation between him and Matthews at all?—A. No, sir.

Q. You were the surgeon who attended Mr. Burnet, were you not?—A. Yes, sir.

Q. Did Burnet come into your office to settle the bill subsequent to being well and out?—A. Yes, sir.

Q. Did you tell Burnet what conversation took place between you and Wheeler?—A. Yes, sir.

Q. Now, when you asked Wheeler what made him do it after he had informed you that they were friends and had been all along, you asked him, "What, then, Ras., made you do that thing?" and did he not say to you that after the crowd passed the resolution instructing him not to vote, and he sent back word he should vote, that he, Wheeler, was delegated, either by lot or vote, to kill him if he did vote?—A. I do not remember asking Ras his reasons for killing him, why he did do it, but I remember that that part of the conversation followed. He stated to me in so many words that it was by lot that it fell upon him to do it.

Q. And it was not any enmity of his to Matthews, but simply he was obliged to do it because it fell upon him by lot?—A. Yes, sir.

Q. Did not Matthews go to you and ask for protection?—A. He did not ask me to protect him. He came to me one morning in the hotel, I think on Monday previous to the election, and called me into the hotel parlor and told me that he had some fears about his safety; that he had been informed that parties were coming into town, and it was their purpose to murder him and his family. I tried to assure him that it was a false conception on his part. I told him that I had heard nothing of the sort, and I did not think it could be true. But he was very uneasy and requested me to go and see the sheriff.

Q. Hargrave?—A. Yes, sir; and get Hargrave to promise him to insure him that he would protect him.

Q. Did you and he go?

The WITNESS. Myself and Matthews?

Mr. FRYE. Yes.

A. No, sir.

Q. Did you go?—A. Yes, I did, in company with Mr. Day, at that time a citizen of Hazlehurst.

By Mr. JONES:

Q. Did you know Mr. Matthews well?—A. I could not say that I did, on a strict construction of that phrase. I saw him frequently and I knew him.

Q. Do you know what his character was as a man of peace or otherwise?—A. No, sir; I have no personal knowledge of his qualities.

Q. You do not know whether he was a peaceable or violent man?—A. I never knew anything to the contrary of my own personal knowledge.

Q. Were you in Hazlehurst on the day of the election?—A. Yes, sir.

Q. Do you know whether or not there were any rumors in the town

of armed bodies of negroes being at the polls in different parts of the county?—A. It was rumored late in the evening of Tuesday, the election day, that a considerable number of armed negroes were at Brown's store, and had been probably nearly all day; that they were not voting, but were merely standing around with their guns.

Q. Were those rumors generally credited at Hazlehurst?—A. The news reached Hazlehurst at night, or a late hour in the afternoon, and it was pretty soon contradicted, I think in an hour or two. I do not think the news reached Hazlehurst until 4 or 5 o'clock in the afternoon, and it was contradicted in about three hours; that is, this much, we heard that they were not violent or showing any signs of violence or anything of the sort. We first heard that they were there with guns. I believe that most every one was satisfied after an hour or two.

WESLEY FORD sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in beat 4, Copiah County, Mississippi.

Q. Were you inspector at Heath's Store precinct?—A. Yes, sir.

Q. Were you present there on the day of the election?—A. Yes, sir.

Q. Will you state to the committee the appearance of things there that day, the day of election; were you a Republican inspector?—A. I was the Independent inspector.

Q. You have been a Democrat before?—A. I have always voted a mixed ticket. I have voted one or two Democratic tickets straight, but I have been in the habit of voting a mixed ticket.

Q. What time did you go there?—A. I went there tolerably early; perhaps it was 9 o'clock when I got there.

Q. What did you see going on there?—A. I did not see anything that was out of the way at all when I first got there. Colonel Jones and myself went in together. I carried the box, and I walked into the store and sat the box down, and some of them made some remarks about Colonel Jones being there, and they said they would like to have one election without him if possible, and some of them made a remark that they would have an election without him, and I taken Dr. Bond out myself and told him if they were going to have a fuss there at the commencement I would resign my position and go home.

Q. Were these Democrats that were making the talk?—A. Yes, sir; and he told me no, that I need not do that, that he would see that I was not insulted or interfered with at all; but as to Jones he could not say. I said that if they were going to insult or abuse Jones in any way I would tell him, and he could go home at the start, and he rather opposed it; and I didn't say anything, and we went on then and made our arrangements, and at 9 o'clock opened the polls, and everything went on well enough for a while, and Jones voted, and after he voted they raised a fuss with him and told him he had to leave the ground, and did make him leave, and cursed and abused him right smart. As to myself they did not insult me in any way, and I got along very well, and staid there until sundown, and they were drinking right smart and talking very loud and making a good deal of fuss, and I thought it was about time I was going away, and I left.

Q. Were the Democrats armed?—A. I did not see any armed at all.

Q. Was it stated there that they had arms stacked somewhere?—A. I never heard of it.

Q. What time did you leave?—A. About dusk.

Q. You left the box in their hands?—A. Yes, sir.

Q. Didn't you feel safe to stay there any longer?—A. I did not feel like staying. I had a good many friends on the ground, those of the Democratic party, that said I should not be hurt, but I did not care about being abused or insulted, and I thought I would be.

Q. Was there noise and confusion?—A. They were drinking a good deal and made more noise than they would otherwise.

Q. Any threats?—A. No, sir; there was no need for any threats; there was nobody there but me on the Independent side.

Q. Did anybody intimate to you that they could get along without you? A. Yes, sir; they said they could get along without me.

Q. But you thought it prudent to go?—A. Yes, sir.

Q. And that left the box in the hands of the Democrats?—A. Yes, sir.

Q. Where do you live, do you say?—A. In beat 4.

Q. Had you seen anything of this raiding around through there?—A. No, sir; there was nothing of that kind nearer than Tailholt, and two miles or so from where I live. I could hear of it, but I did not see anything.

Q. Did you hear any guns?—A. No, sir; I did not hear any guns.

By Mr. JONAS:

Q. Was not Colonel Jones sick that day?—A. Well, I believe he was complaining some.

Q. Was he not complaining of chills, and feeling as though he was going to have a chill?—A. I don't remember about his saying anything about a chill, but I believe he complained of being sick some and for some time after, and maybe before.

Q. Did he not leave and come home because he was feeling unwell?—A. No, sir; I do not think so.

Q. I think that is what he testified.—A. I do not think he did according to my judgment. I do not think he would have gone if he had not been driven off; that is, he was cursed and abused and told to leave, which I suppose is about the same thing.

Q. Did not Colonel Jones give general advice to the negroes who were there not to scratch their tickets?—A. I didn't hear anything going on outside unless it was loud. I was in a little room, and I did not hear anything on the outside except what I could hear in a loud tone.

Q. Did he not tell them that if they scratched their tickets their tickets would not be counted?—A. I don't know anything about that.

Q. Didn't you hear that he gave such advice?—A. No, sir.

Q. You heard nothing of that?—A. No, sir.

Q. Was not the difficulty that he had there a personal one with Mr. Nelson?—A. If it was, I don't know anything about it.

Q. You don't know of any difficulty between him and Nelson?—A. No, sir; I think they were good friends up to that date.

Q. Didn't you hear of their having a difficulty that day?—A. Of course, I heard when it first commenced. Mr. Nelson raised his voice, I think; I taken it to be him. I didn't see none of it; I only heard what I taken to be his voice.

Q. Did he draw his gun on Nelson?—A. I didn't see that at all; I just heard the talking. I was inside of the room, and this was on the gallery or near the store door.

Q. You did not hear Colonel Jones talking?—A. No, sir.

Q. You heard nothing that he said?—A. Nothing at all.

Q. Did you hear all that was said to him?—A. I did not hear him

say anything at all. I heard several talking; I don't know who they were, except Nelson; I knew his voice.

Q. You did not hear anything that he said in response?—A. No, sir.

Q. And you did not hear him talking to the negroes at all?—A. No, sir. I saw him talking to somebody along as he came up. After the polls were opened I did not see him talking with them at all, but he was talking with them some before the polls were open. If he talked with them afterwards, which he might have done, I do not know it.

Q. There was no fighting or trouble at that poll, I believe?—A. No, sir.

Q. Everybody voted who wanted to vote?—A. Yes, sir.

Q. What was the result of that vote?—A. I did not stop to see it counted.

Q. What is your idea about it?—A. I could not say; I never had voted there before in my life, and I do not know what the vote that was cast was.

Q. You voted?—A. Yes, sir.

Q. And everybody who wanted to vote the Independent or Republican ticket voted it?—A. Yes, sir.

By Mr. FRYE:

Q. You do not know whether they did count them or not?—A. No, sir.

Q. You had left?—A. Yes, sir; but I know that everybody who wanted to voted.

D. C. WRIGHT sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Hazlehurst.

Q. How long have you lived there?—A. I have lived there about four years.

Q. Where did you live before that?—A. I have lived in the county since 1866.

Q. Were you born in Mississippi?—A. No, sir; I was born at Nashville.

Q. Were you in the Confederate army?—A. Yes, sir.

Q. What has been your politics?

The WITNESS. Since the war?

Mr. FRYE. Well, for the last ten years?—A. Since the war I have always voted the Democratic ticket until four years ago.

Q. And since then with the Independents?—A. Yes, sir. This man Matthews, I voted for him for sheriff several times, while I was affiliating with the Democratic party.

Q. Were you the Independent inspector at the Hazlehurst west box?—A. No, sir; I was challenger at the Hazlehurst west box.

Q. Independent challenger?—A. Yes, sir.

Q. Who was the Democratic challenger?—A. J. L. Meade.

Q. Chairman of the Democratic committee?—A. Yes, sir.

Q. What happened there at that box during the day?—A. There was nothing very much out of the usual course of things went on there.

Q. Didn't you leave?—A. I staid there until they adjourned at noon.

Q. Did you go back after noon?—A. No, sir.

Q. Why not?—A. Well, I saw the election was gone, and there was no use of staying there. I went over to Mr. Matthews, and I found the family in a good deal of trouble there, and I staid there.

Q. Weren't there any threats around Hazlehurst, west box?

The WITNESS. Against whom?

Mr. FRYE. Against any of the Republicans.

A. I did not hear any specially.

Q. Did you see any men marched up to the box to vote, colored men?—A. They came in there and voted. There was plenty of guns and such things as that around there.

Q. Did you see any guns in the hands of anybody except Democrats?—A. No, sir.

Q. Did you see any of the colored men marched up to the box to vote, or men armed with guns?—A. I protested against any armed men being allowed to come into the court-house. They came to the door with guns.

Q. With colored men?—A. I don't know who they came with. Colored men would come in and vote the straight Democratic ticket. I do not know what influence they brought to bear upon them to make them do it.

Q. Did you see them coming up to the door in company with men with arms?—A. Yes, sir, I saw them; but there was such a passing to and fro I could not tell whether they were escorting them or not.

Q. Did you see at any time cannon fired on the street?

The WITNESS. What day?

Mr. FRYE. Any day.

The WITNESS. I heard the cannon firing on election day there.

Q. Where were you on Monday; were you on the streets in Hazlehurst?—A. Yes, sir; I got into Hazlehurst about three or four o'clock in the afternoon.

Q. What was going on?—A. The town was full of armed men.

Q. Mounted men?—A. Yes, sir; mounted when I saw them.

Q. What were they doing?—A. They were riding around the streets.

Q. Making any noise?—A. When I saw them first they had crossed over on the east side and halted. The rear of the column was right in front of J. P. Matthews's store; the front of it was below.

Q. How many men should you say there were?—A. I should say 100, 125, or 150; I didn't pay any particular attention to it.

Q. Armed with guns?—A. Yes, sir.

Q. What did they do?—A. They staid there half an hour or twenty minutes, or such a matter; and I think at that time they had come over there and halted and sent a messenger up to Mr. Matthews's house.

Q. Didn't you see one of them go toward Mr. Matthews's house?—A. I did not see him.

Q. That you understood to be the time when the message was sent to him?—A. Yes, sir; such I understood to have been the case.

Q. Did you see any firing at the store?—A. No, sir; there was no firing there that evening.

Q. Did you see any in the morning?—A. I was not there in the morning.

Q. Were you there at the time the last resolutions were served?—A. Yes, sir.

Q. At Mr. Matthews's house?—A. I got there about half an hour after they were served; you mean the Copiah County resolutions?

Q. Yes.—A. Yes; I was at the house a short time after they were served there.

Q. Were you a member of the Independent executive committee?—A. Yes, sir.

Q. Were you present when Handy Fortner was brought before the committee?—A. No, sir.

Q. Did you see anything of a letter sent to A. W. Burnet, threatening him?—A. Yes, sir.

Q. What did you see of it?—A. I read it.

Q. Where did you read it?—A. When Burnet left there he deputized some one to take his mail, and I believe that a son of mine possibly took the letter out of the post-office and broke it open and showed it to me.

Q. Did you read it?—A. Yes, sir; I read it.

Q. See if that is a copy of it [handing a paper to witness].—A. [After examining the paper.] I think that is it, sir, verbatim almost; that is my recollection.

Mr. FRYE, I will read it:

HAZLEHURST, *November* 8, 1888.

A. W. BURNET:

We were in hopes that your dark visaged face would not be seen on our streets again. You have no business here. We now give you fair warning to leave at once, or you will meet the fate of your friend, J. P. Matthews. X.

By Mr. FRYE:

Q. Did you see the letter which J. P. Matthews received three or four days before he was killed, of a like character?—A. Yes, sir.

Q. What was that signed?—A. 150.

Q. Did you compare the handwriting of that letter with this one which was crossed?—A. Yes, sir.

Q. Were they written by the same man?—A. I think so, sir.

Q. You do not know whose handwriting it is?—A. No, sir; I do not know the handwriting.

Q. Do you know whether Mr. Matthews notified Burnet not to come back?

The WITNESS. Which Mr. Matthews?

Mr. FRYE. J. P. Matthews.

The WITNESS. Not to come back?

Mr. FRYE. Yes; J. M. Matthews, the son, and daughter; do you know whether they notified Burnet not to come back?

The WITNESS. I know they wrote to him, but I do not know what advice they gave him. If I could have known where he was I should have advised him not to come, however.

Q. You acted as vice-president of the executive committee in his absence, did you not?—A. Yes, sir.

Q. As vice-president of the executive committee, of course you looked around to see the condition of things. I ask you now whether or not, prior to the election and during the election, there was not a state of great excitement all through Copiah County?—A. Yes, sir; intense excitement.

Q. A reign of terror; people frightened?—A. I could not call it anything else.

Q. Did not the executive committee of the Republican party or Independent party appeal to the officials to do something to keep it down and to protect them?—A. Yes, sir.

Q. Don't you know of Mr. Burnet's making attempts?—A. Yes, sir.

Q. What time do you remember his making any?—A. I know there were repeated appeals made to the sheriff there to stop that disorder in beat 3.

Q. Do you remember the time when T. E. Matthews made his affidavit?—A. Yes, sir.

Q. Do you remember whether or not at that time Burnet, as chairman of the committee, appealed to Hargrave to do something to stop

the killing of people?—A. I think he did; but I know Mr. Matthews appealed to him on Saturday evening; I was with him myself. I could not say I was with him when he made the appeal, but I fell in with him up at the corner, where he had been talking with him, and I saw he was excited, and I asked him what was the matter, and he said he had been asking Hargrave to stop that lawlessness in beat 3; and he said that Mr. Meade, and Mr. Harris, and other lawyers there, had told Hargrave that he could not act without a warrant or affidavit.

Q. Was not Burnet there at that time?—A. Yes, sir; he was there a few minutes afterwards.

By Mr. SAULSBURY:

Q. You were challenger at what poll?—A. West Hazlehurst.

Q. Did everybody vote there who wanted to?—A. I think so.

Q. Did you see any intimidation of voters, or any force brought to bear to compel men to vote contrary to their sympathies?—A. Not inside of the court-house I didn't see any.

Q. Did you see any outside?—A. I was not outside.

Q. Then, so far as you know, at those polls everybody voted according to their own wishes?—A. I could not say that.

Q. Do you know any fact that shows they did not? If so, state.—A. I know that men who were fully impressed with the conviction that they would vote the Independent ticket in the morning changed their minds by 12 o'clock. There was certainly a great revolution in their minds from the morning.

Q. I want to know if you saw any force used to compel anybody to vote?—A. I did not see any force.

Q. Did the colored people go and vote there—vote Democratic and Republican tickets both?—A. Very few Republican tickets, or Independent tickets, rather.

Q. You do not know who wrote those letters to Burnet?—A. No, sir; I have never professed to know.

Q. They were simply threatening letters, the origin of which you have no knowledge?—A. I have no knowledge; no, sir.

H. F. BUFKIN sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in beat 3, Copiah County.

Q. What part of it?—A. I live near the voting precinct Tailholt.

Q. How far from Hazlehurst?—A. About 20 miles.

Q. How long have you lived there?—A. I have lived on that place since 1865.

Q. Were you born in Mississippi?—A. Yes, sir.

Q. What has been your politics?—A. I have been a Democrat up to four years ago; since that I have been rather Independent, and vote as I please.

Q. Have you held office as a Democrat?—A. No, sir.

Q. As an Independent?—A. Yes, sir.

Q. What office?—A. I was a member of the legislature.

Q. Elected from Copiah County?—A. Yes, sir.

Q. When was that?—A. I was elected in 1879, four years ago last fall.

Q. Where do you say you voted this year—at Tailholt?—A. I did not vote this year.

Q. Did you go to the polls?—A. Yes, sir.

Q. Was Tailholt your voting place?—A. Yes, sir.

Q. What time did you go?—A. It was after the usual voting time; I suppose it was about ten o'clock.

Q. What did you see there that deterred you from voting?—A. Every one seemed to be in a good deal of disorder, noisy, whooping, hollowing, and I could occasionally hear a pistol fire off around, and it looked like a good deal of disorder.

Q. Did you see any men there with guns?—A. I saw but one man with a gun. I heard there were a good many guns about, though.

Q. Was it generally understood that there were guns stored there?—A. Well, it seemed to be.

Q. How long did you remain there?—A. I suppose I staid there three-quarters of an hour.

Q. What else did you see while you were there that disturbed you?—A. Well, just before I got there one of the Independent inspectors gave up the box; he had left just before I got there and it seemed as if the voters were determined not to hold an election, the way they talked, unless he, Mr. Allen, would act as inspector. He went off and met some of his neighbors coming in as he went off, and they insisted that he should hold on and reconcile things. I heard that; I didn't see them. And he did so. He waited until he sent a messenger and the messenger returned; (I did not hear that) but when the messenger came back he told him he did not think it would be safe to go there and vote, and it seems they did not think it would be right to allow anybody else to hold the election. I thought it well to go home. Pistols were firing off, and I had never seen it before at that place; it is generally a very orderly place.

Q. Did you go home without voting?—A. Yes, sir.

Q. What was the usual vote at that precinct as between parties?—A. Well, the Independent ticket for a few elections had been a little ahead, a few votes ahead.

Q. Can you tell about how much the usual Independent vote there was in number?—A. I think Colonel King, for governor, got 126 votes, but I don't recollect.

Q. He was the Independent candidate?—A. Yes, sir.

Q. Now how many votes were counted there this day?—A. I do not know. I saw a statement and I think there were seven Independent votes there, but I do not know.

Q. And you do not know how many Democratic votes?—A. No, sir.

Q. Prior to the day of election you may tell the committee what you saw of these mounted men?—A. Well, on Saturday evening, before the election, which I believe was the 3d, there came three gentlemen to my house, and they came in and told me they wanted a word with me, and we walked out, and it seemed like they could scarcely broach the subject, as if they had something to say or warn me of, or something that they could not well tell, and they never did fully get it out. But it seemed like there was danger threatening the neighborhood there, and they had come through to see if they could not tell everybody to be indoors, not me at all, but some other parties living up above around there, that they had better be indoors when these men came, that were coming that night. They taken supper with me; one was a son-in-law of mine.

Q. Is he a Democrat?—A. Yes, sir, I reckon so. After the supper he put at me to go up. They were to meet at a little store.

Q. Who were to meet?—A. The Democratic party, he said; this traveling club. They called it a club or clubs. They represented to me there were about four counties to combine, Lincoln, Franklin, Jefferson,

and Copiah. That is the way they represented it to me. They said it would be better for the neighborhood if I would go up and see the commanding officer—I believe they called him major—and I concluded I would ride up with them, and I did so, and when I got there there were a good many men on the ground; it was a dark night; they were not mounted men; their horses were tied. They were quiet and making no noise when I got there, and they didn't stay but a very little while, and then called on somebody for a speech, and nobody seemed to want to make a speech, and finally they called on Ras. Wheeler, who was commanding, to make a speech.

Q. Did you hear his speech?—A. Yes, sir.

Q. What did he say?—A. Very little. It seemed like there had come in some new troops that had not been with them before, and his remarks were to give them an insight into what they had been doing. He said they were electioneering, that they had started at Spencer's Mill, and told them the round they had taken, and said they had spent a good deal of time securing and trying to persuade the negro to vote their way, and now they had set out to undertake to make him.

Q. Did he tell you they had undertaken to make him?—A. No, sir, he did not tell——

By the CHAIRMAN:

Q. Did he say what their round had been from Spencer's Mill?—A. Yes, sir; around by the Matthews place, and around over Ferguson's neighborhood, and they were then starting in and going to give that neighborhood a good electioneering tour.

By Mr. FRYE:

Q. Did they mount before you left?—A. Yes, sir; as soon as he got through his speech he ordered the men to mount, and they mounted; they seemed to be well drilled; they fell into line readily and rode off.

Q. Were they armed with guns?—A. There was a good many guns; I don't know whether they all had guns.

Q. How many men were there there?—A. I could not say; it was a dark night; I would suppose there were 150 men, probably.

Q. Where did they go?—A. They started north; they went some half a mile, and it seemed like they all fired their arms at one time; it was terrible shooting; the worst I had heard since a little battle I had heard during the war; they were shooting at nobody though; they were out in an old field.

Q. But I suppose within the sound of a good many colored people?—A. Oh, yes, sir.

Q. When did you next hear anything about them?—A. One of those men came back to my house that night; he got there just before morning, and spent the next day with me. I never saw any more of them.

Q. Did he tell you what they had been doing?—A. He said they had been electioneering, and had been pretty successful.

Q. Did he tell you what they had done?—A. No, sir; no more than telling certain houses they had went through; he didn't tell of having hurt anybody at all.

Q. But he told about going to the houses?—A. Yes, sir.

Q. But didn't tell what they did?—A. No, sir; well, they found very few men and not a great many women; the men I do not think they found; I think he said they divided when they got off a little from the store, and one company went one way and another company the other, and the company he was with didn't find any men.

Q. Where were the men that they did not find?—A. In the woods, I suppose.

Q. Were these houses that they visited Republican houses?—A. I think so.

Q. And of colored people generally?—A. Yes, sir; altogether, I think; I do not think they visited any white people that night. They rested on Sunday until four o'clock in the evening, and then they had a terrible cannonade on Sunday evening. I think that was for the gathering of the troops.

Q. Did you hear the cannonading?—A. Yes, sir; of course you could hear the cannon.

Q. Did you hear anything more of them Sunday night?—A. No, sir.

Q. What was the effect on your colored neighbors all through that section of the country of these demonstrations?—A. I am of opinion that it would have the effect of keeping them away from the polls. I think that if they had been let alone on the day of election they would have polled a full vote.

Q. Had it frightened them into the woods—did they sleep in the woods?—A. They had been in the woods then for ten days. There had been a continual firing for two weeks before that.

Q. These colored people had been in the woods?—A. Yes, sir.

Q. Women as well as men?—A. Yes, sir; a great many women, so they said. I saw the men; I didn't see the women, but they said the women were in the woods.

J. B. ALLEN sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in beat 3, Copiah County.

Q. What part of beat 3; which precinct?—A. Tailholt precinct.

Q. How long have you lived there?—A. I have lived there eleven years.

Q. Born in Mississippi?—A. I was born in Tennessee.

Q. Were you in the Confederate army?—A. I was.

Q. What has been your politics?—A. I was a Democrat up to 1879.

Q. And since then have been an Independent?—A. Yes, sir.

Q. Were you a member of the Independent committee this year?—I was.

Q. And did you have a brother who was secretary of the Democratic committee?—A. I did.

Q. Did you have any conference with your brother touching politics this year?—A. I had a message from him by another brother, and a proposition from this younger brother to me.

Q. What was it?—A. It was that there was going to be trouble and that he thought my life was in danger, and the proposition was that if I would withdraw from the opposition committee, that he would withdraw as secretary from the Democratic committee; that he did not want to be on opposite sides when there was going to be trouble in the county.

Q. Did you withdraw?—A. I did not. I met him after I had received the message and proposition through my other brother and had a talk with him on the subject. I told him that I would withdraw if he would vote against the Democratic party; that I would withdraw and take no part in politics; but he would not agree to that.

Q. Was anything said at that time about this danger that was threatening?—A. Nothing particularly. There was something said about it,

but I considered the source, and I told him I did not think I was in any danger, and did not think so. The party that he had heard speak about shooting the first man if they got into trouble was a deserter from the Confederate army that left me there to do the fighting, and I did not think there was any danger in it, but I gave him a sound lecture on keeping such company. I told him I did not think there was any danger in that; that he might rest easy on that.

Q. Will you please tell the committee what you knew and saw about this mob?—A. I saw but little of it. There was one of the mob came by my house, a brother-in-law of my wife's. He called me out Saturday night the time they passed through that neighborhood, and requested me to go with them; thought it would be maybe best for me to go with him; that there was no telling what they might do to me. They might burn my house or my gin, and there was no telling what they might do, and that it would be safe and prudent for me to go and give my presence to that mob.

Q. What was your reply?—A. My reply was that I could not give my presence to a mob, to such a turnout as that was.

Q. Did you see the mob at any time?—A. I did not see the main body. There were parties who passed my house, some from Claiborne County that I was acquainted with that stopped to get water at my house.

Q. Mounted and armed?—A. Yes, sir; mounted and armed.

Q. For how long were these squads or companies, or the mob itself, parading around there through that whole section of the country?—A. I think it was two weeks. I understood they went by Joe Meade's direction. The clubs were instructed to go to the public meetings to purify the atmosphere.

Q. To the Republican meetings?—A. To the public speakings. They were to go there and purify the atmosphere.

By the CHAIRMAN:

Q. To the meetings of what party?—A. The Republican or the Independent speakings.

By Mr. FRYE:

Q. And for two weeks they had been parading around through the whole country?—A. Well, one or two clubs in that neighborhood would go to these little gatherings, as I understand, to purify the atmosphere.

Q. How soon did they commence calling upon houses and purifying the atmosphere there?—A. That was just a few days before the election, a week or five or six days before.

Q. Did you see Frank Hayes and his wife?—A. I did; I followed them up; I expected they had done some mischief. On Sunday morning I rode out on my horse to the northern end of the beat. I heard they had shot Frank Hayes. I knew Hayes when he was a slave and I rode there and saw him shot and his wife—his leg shot to pieces with buckshot and his wife shot in the chin and through the neck and through the shoulder—four bullet holes besides where it struck her chin with one ball.

Q. When was that done?—A. Saturday night.

Q. How far from you was that?—A. Five or six miles from where I live.

Q. Did you hear them firing around that night?—A. Yes, sir; I saw more guns and heard more guns fired in one week than I have heard since I left the Confederate army in 1865. All through the country the

neighbors were practicing with their pistols; they all had their pistols; boys of 17 or 18 years of age had their pistols, furnished by the pillars of the church in the neighborhood.

Q. What do you mean, the Democratic church?—A. Yes, sir; of course. They rested Sunday until 3 or 4 o'clock in the evening. I did not hear the artillery until I got back home late in the evening, and then I heard the cannon.

Q. How many times did you hear that?—A. I don't know; a good many times.

Q. What was the effect of all this business on the colored people living around in that whole section of the country?—A. Well, they were intimidated, but they went to the polls and would have polled a good vote if they had been allowed to vote.

Q. Where did they sleep at night?—A. They slept in the woods.

Q. Did any women sleep in the woods?—A. Yes, sir; men and women slept in the woods.

Q. And came home day times?—A. Yes, sir.

Q. Did you take care of any of them or look after any of them?—A. No; none of them came to my house. I knew of some going to other houses in the yards of other people where they were not expected to visit. They did not visit all the white people in the country; it was the negroes that they visited.

Q. Did you go up to Tailholt on election day?—A. I did.

Q. Tell us what you saw at Tailholt.—A. I saw the bulldozers there in force.

Q. Were any of these men there who belonged to the company of raiders?—A. They were all there.

Q. What were they doing there?—A. They were talking loud and making remarks to intimidate voters, and reading dispatches from certain places that so many negroes were killed and so many wounded—seven hundred killed and so many wounded at different places.

Q. Did they have anybody there with guns?—A. I saw only one gun on the ground.

Q. Were the guns around there stacked?—A. Yes, sir; they were there, there is no doubt about it.

Q. Was it generally understood around there by the people that guns were stacked near by?—A. Yes, sir; it was well understood.

Q. How many of you Independents got up courage enough to vote that day at Tailholt?—A. There was seven of the young ones—boys—that did not feel that they were outraged, and they staid and held on and voted in the evening.

Q. Did you vote?—A. No, sir; I did not. I left without voting.

Q. So that the Independent party threw seven votes that day?—A. Yes, sir; that is what I heard; I didn't know anything about it.

Q. Were you a member of the executive committee?—A. I was, from that beat.

Q. Did that executive committee do anything in any way to stir up the negroes to strife?—A. Nothing in the world.

Q. Did you see any of the colored men armed?—A. No, sir.

Q. Did you hear any colored men make threats?—A. No, sir.

Q. You did not see any uprising of the negroes against the white men?—A. No, sir; there was never a more ridiculous report ever circulated in Copiah County than the report that negroes were arming themselves or that Mr. Matthews encouraged such a thing.

Q. Did you know Mr. Matthews?—A. I had known him from boyhood.

Q. Did you hear him make any speeches?—A. I heard him make the first and last speech he ever made.

Q. Was there anything in those speeches to arouse the negroes?—A. Nothing in the world.

Q. Was not the executive committee doing all it could to quiet the fears of those people?—A. Yes, sir.

Q. And also doing all it could to get the other side to stop it?—A. The committee? I do not know about that. The last few meetings of the committee I did not attend. I started to go to the last meeting of the committee, but did not get there; my heart failed me or my courage or something.

Q. Your courage gave out?—A. Yes, sir.

Q. What made it give out?—A. Well, I heard so many guns in front. I did not know but what Grant's army might be in front.

Q. And you retreated?—A. Well, by the advice of a man that I thought had as much sand in his gizzard as I had, and who said he thought it was not safe for me to go any further, I stopped. I did go though within half a mile of the firing, but concluded that I had no business at Hazlehurst, and went back home.

By the CHAIRMAN:

Q. I would like to ask you one question at this point. Are you familiar with the character of the negro race in that neighborhood?—A. I am.

Q. Had they any means of getting arms in any considerable numbers, so far as you know?—A. No, sir; they could not buy them.

Q. Did they have arms, so far as you know or believe?—A. There are very few of them that have a shotgun.

Q. What is the temper and character of the negro race about rising against the white men and combining?—A. They are a timid people, and can be easily intimidated. Why one white man in Copiah County can rout twenty-five of them.

Q. Now, I wish to ask you whether, knowing the estimate in which the negroes are held there, whether, in your judgment, the rumor that the negroes were rising against the whites is one which would have obtained belief, to any considerable extent, among the whites there?—A. There is not a white man or black man in Copiah County that ever believed such a report; not a white or black, Democrat or Republican, not a single one. It was always reported, however, that Matthews was going to arm the negroes; that was the common argument.

By Mr. CAMERON:

Q. One of the Democratic lies.—A. Yes, sir; one of the Democratic lies.

By Mr. FRYE:

Q. Nobody believed it.—A. No, sir; nobody believed it; not a Democrat in the county believed it, not a single one. I know these people, and I knew Matthews, and they all knew him.

By the CHAIRMAN:

Q. It was something like arming a lot of sheep against the shepherds I suppose.—A. Yes, sir.

By Mr. FRYE:

Q. Have you property there?—A. I have.

Q. Much?—A. I have a little piece of property there that cost me $5,000; I made it with my hard-earned money; I made it with that hard fist [indicating].

Q. A plantation?—A. A small plantation, water-mill, and gin that I built with my own hands.

Q. Has it been improved in value by these occurrences down there?—A. I will tell you just how much it has been improved. It cost me $5,000 in money, and I have offered it for $2,500. I have had a picture of the house struck to get out an advertisement offering it for half the money that it cost me.

Q. Do you find any takers?—A. Not yet; I have not advertised it yet.

Q. But you want to get off?—A. Yes, sir; certainly I do. If I could get rid of what I have got I would not live there half a minute.

By Mr. JONAS:

Q. Were you not inspector of the Independent party of Tailholt precinct on that day?—A. No, sir; it was a different man, no kin to me. That brother of mine, I will state, however, that was secretary of the Democratic committee, was one of the secretaries of the Copiah meeting when the resolutions were passed.

By Mr. FRYE:

Q. The long resolutions?—A. Yes, sir; the resolutions after the murder of Matthews; my little brother, Charlie.

By Mr. CAMERON:

Q. What is his age?—A. I suppose he is about 30 years of age.

NOAH RAMSEY sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live at Natchez, Miss.

Q. Were you summoned from Natchez?—A. Yes, sir.

Q. Did you formerly live in Copiah County?—A. Yes, sir, I was raised in Copiah County.

Q. Born in Mississippi?—A. Yes, sir.

Q. Do you know Daniel Woods?—A. I know D. C. Woods.

Q. Was he the candidate at this last election for any office?—A. He was candidate for coroner and ranger.

Q. What is a ranger?—A. He is a man who takes up the stray cattle.

Q. Prior to this last election and prior to the death of Mr. Matthews did you have any conversation with this D. C. Woods?—A. No, sir, not directly.

Q. Did you hear him conversing with anybody else?—A. I was going up to Saint Louis and stopped over at Myles Station for supper the evening before the last election. Mr. McNair, Major Sessions, and Chancellor McLaren——

Q. Three Democrats?—A. Yes, sir; they all stopped over to get supper. After supper Mr. McLaren went into the store where Woods is clerk and we were speaking about this killing of these negroes out there a few days before that, and about the firing off the cannon through the county the day before, on Sunday, and he spoke and said that Matthews would be killed.

Q. Who said so?—A. Mr. Woods. He said L. H. Matthews if elected would be killed.

Q. And then said that the other Matthews, Leon Matthews, would also be killed?—A. Yes, sir.

Q. This was the day before Mr. Matthews was killed?—A. Yes, sir. We went back on the train and went on to Jackson and I stopped over there and was at the Chamberlain House at supper, and the train came

down the next evening, and Mr. Matthews's sons came down from Oxford and were on the train and they said they had received a telegram from their mother that their father was killed, and I told them I had heard the night before he was to be killed, but did not believe it.

Q. Are you a Democrat?—A. Yes, sir; but I voted for King for governor in 1881.

Q. You have voted the Democratic ticket ever else?—A. Yes, sir.

By Mr. JONAS:

Q. Where was Woods at the time of this conversation?—A. At Myles Station.

By Mr. FRYE:

Q. Woods was the Democratic candidate for coroner and ranger in Copiah County?—A. Yes, sir. This was in the northwestern corner of Copiah County. Mr. McNair condemned it in speaking about it on the train, and the next evening I met Mr. Matthews's sons, whom I knew well, and heard about it.

Q. How long had you known Mr. Matthews?—A. All my life.

Q. What kind of a man was Print Matthews?—A. Outside of his politics, I think, he was a man everybody liked.

Q. A peaceable man?—A. I have always found him to be so.

Q. Charitable?—A. Yes, sir; very charitable.

Q. And sociable?—A. Yes, sir.

Q. A man of property?—A. I think he was quoted to be worth $35,000 to $50,000, or something to that amount.

W. W. BUFKIN sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in beat 3.

Q. How far from Hazlehurst?—A. Twenty miles.

Q. Did you ride 20 miles to take the train?—A. Yes, sir.

Q. What is your voting precinct?—A. Tailholt.

Q. Were you at home prior to the last election?—A. Yes, sir.

Q. What did you see of the electioneering of the Democratic party there?—A. Well, I didn't see a great deal of anything.

Q. Did you see these men?—A. Yes, sir; I seen them, a part of them.

Q. What did you see about them?—A. On Saturday night before the election on Tuesday, some of them came to my house, and a brother-in-law of mine, Nick Cato, and a friend—I reckon they were both Democrats though—they came to my house and told me (that was the night the men went through our neighborhood the first time they had been through): John was there, and Cato called me out and told me I had better stay indoors, that they were liable to hurt somebody and they would just as soon hurt me as anybody else.

Q. Did they belong to the company?—A. They said they did not.

Q. They are both Democrats, are they?—A. Yes, sir; they are Democrats.

Q. Did you stay in the house?—A. Yes, sir.

Q. Did you hear any firing around there?—A. Oh, yes, sir; I heard a right smart.

Q. For how long a time before the election did you hear firing around the country?—A. Well, about a week.

Q. Did you hear it frequently?—A. Yes, sir.

Q. Were there guns?—A. Yes, sir; guns, pistols, and cannon.

Q. Did you hear the cannon?—A. Yes, sir.

Q. Did you see anything of these mounted men after that?—A. No, sir; I did not see them any more until the day of the election.

Q. Where did you see them then?—A. I saw them at the election.

Q. Did you go to Tailholt and vote?—A. Yes, sir.

Q. Were they around there, some of them, then?—A. Yes, sir; they were all there that day with their guns. I saw several guns. I saw six guns there.

Q. And you saw men who had been carrying guns in this crowd?—A. Yes, sir.

Q. Were their guns stacked anywhere?—A. I did not see them stacked. I saw about six guns while they were there at the polls.

Q. Was it understood that the guns were there?—A. Yes, sir; I heard the Democrats say that; I heard them say that they were there.

Q. Did you vote?—A. Yes, sir.

Q. What time of the day did you vote?—A. I reckon it was about 4 o'clock in the evening.

Q. Did you stay there all day before you voted?—A. Yes, sir; I staid there all day. The polls were opened about 1 o'clock.

Q. Did any colored men vote?—A. No, sir; they had run them all off. There were just eight Independent voters voted there; either seven or eight.

Q. The colored men were run off?—A. Yes, sir.

Q. Did they come to vote, any of them?—A. Yes, sir; they came to vote.

Q. When they were around there what was done?—A. Well, I was not there very early. I was there though, and there was a heap of colored people there when I was there, and they were drunk and cursing around and telling them they had better get away, and they ran off.

Q. That is, the white men were drunk and cursing?—A. Yes, sir.

Q. And they got off, did they?—A. Yes, sir; they got off.

Q. Do you know what those colored people were doing a week or ten days before the election; where did they sleep around in your neighborhood?—A. I don't suppose they slept at all; they staid in the woods.

Q. They were very much alarmed up there in your section?—A. Yes, sir.

Q. Did you have any talk with Henry Hartley?—A. No, sir; I didn't have any talk with him. The day of the election, when they heard Print Matthews was killed, some of them said they didn't believe it, and he said he knew it was so, because he had been knowing he was going to be killed on that day for a week beforehand.

Q. Who was Henry Hartley?—A. He is a man who lived down on the lower edge of Copiah County, down towards Brandywine.

Q. Was he a Democrat?—A. Yes, sir.

Q. Was he one of those bulldozers, do you know?—A. Yes, sir; I know that, because I saw him out one night bulldozing.

Q. State that once more, just what was said. The news came there that Print Matthews was dead, and some doubted it; what did this man say?—A. Dr. Barlow was the one that doubted it, and Hartley said he knew it was so; that he had been expecting it; that he knew it was to be done on that day for a week beforehand.

B. F GOZA sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. I reside in beat 3, Copiah County.

Q. How long have you lived there?—A. With the exception of two years that I moved away, which was 1881 and 1882, I have lived there since January, 1870.

Q. Are you a Mississippian by birth?—A. Yes, sir; I was born and raised in Claiborne County, adjoining Copiah.

Q. Were you in the Confederate army?—A. No, sir; I was too young at that time to be in the army.

Q. What has been your politics?—A. Up to four or five or six years ago I was a Democrat.

Q. Since then you have been what?—A. Well, what we call an Independent up there in Mississippi.

Q. Do you live on a farm?—A. Yes, sir.

Q. Do you own it?—A. Yes, sir.

Q. Did you see anything of the marauders, electioneerers, or whatever they were, before the election?—A. Yes, sir; I saw some of them.

Q. You may state what you saw and heard.—A. Well, for a good many nights, probably eight or ten nights before the election, I could hear guns firing up and down the road. I lived near the public road, probably 300 or 400 yards to the public road from my house, and I could hear it at all times of the night, guns and pistols firing on the road, and the negroes were panic-stricken on account of threats, and the riding of this mob, I call it. On Saturday night I was at a neighbor's, Mr. Allen's, who has just testified, at the time these men were passing there, and at the time these men called and told him what he has just stated before the committee. I was there at that time.

Q. Did you hear that conversation?—A. Yes, sir; I was there. I saw his man that had the conversation with Mr. Allen, and another man who lives in Claiborne County with him that night, and I saw a good many ride past Mr. Allen's, but I did not know who they were from the yard fence to the road.

Q. Armed men?—A. Yes, sir; we could see guns lying across their laps, some of them.

Q. What else did you see?—A. I didn't see anything more of the bulldozers; I staid too close indoors until the day of election.

Q. Where did you go to vote the day of election?—A. I went to Tailholt.

Q. Did you vote?—A. No, sir.

Q. Why not?—A. I got to the polls, I suppose, about 8 o'clock; I judged it was about that time, and there was a great many Democrats on the ground and a few negroes, but my recollection is that there was not more than one or two white Independents there before I was; I don't remember the number, but there was very few. I walked around among these Democrats. They were noisy when I got there, using a good deal of profanity and hallooing around, and pretty soon firing their pistols, and I pretty soon heard one of them say, "Oh, yes, by God, we will get some of them to-day. We would have got Print Matthews yesterday, God damn him, if he hadn't crawled into his hole." I listened to all these things and said nothing, but watched. I suppose I had been there about an hour (my brother had preceded me there), and my brother took me to one side and told me, he says, "Keep your weather eye open;" that was his expression. "These cabins around here" (there were cabins on both sides), he said, "they are arsenals. I have seen enough and heard enough and know this, and I just tell you that, and you may just watch."

I suppose I had been there about an hour, and I was standing within 40 yards of the little storehouse where we vote, or where they voted,

and one of their leading men, S. S. Starnes, I heard him hallo, and I looked that way, and he said, "Go get your guns, boys, the negroes are coming on." They started with a rush both ways, he leading one crowd, or went with one crowd after starting them by the language he used, and they came my way. It alarmed me, I confess. I was uneasy. There were a good many black people on the ground. I was not alarmed for myself. I didn't believe they would hurt me, for they were neighbors, and I had been raised near them (I was raised within 8 miles of where I live now). I didn't believe they would hurt me; but I was afraid if they could get any provocation they would murder the black people. He had to come some 30 steps before he got to me, and by an impulse, or something else, I caught him by the arm, and I said, "Hold on, Sam, what are you going after your guns for?" and he said, "Ben, the niggers are coming here armed, and I hold you Independents responsible for it." I said, "Sam, I don't want you to say that. You know me and you know the white Independents of this community, and you know we do not want bloodshed." I said, "You are pursuing the course to bring that about." I said, "You do not know; you cannot look me in the face and say that you believe that I would encourage the negroes to bloodshed." He says, "Well, I take that back in respect to you, Ben." I said, "Sam, to prove to you that we do not want any bloodshed, it stands as a matter of course that if we did, and we were encouraging the negroes to do it, we would be armed. I have not, and not a white Independent is here, or who will be here, has any arms. We have nothing. I can speak for nearly all who vote here that they will not be armed. That is the understanding. We do not want bloodshed." He said, "Well, we have got them," with an oath, and he ran his hand in his pocket and pulled out a handful of cartridges, and showed them to me in that way [indicating]. I said, "Sam, I have been informed that you fellows," meaning their party, "have said that neither I nor any other white Independent should vote here to-day. When I heard that it nettled me, and I said then I would vote here or die"; and I said, "I will take that back now, seeing what I have; under the circumstances I think it best for me to withdraw." I said, "I shall not vote. If you have a mind to take this election in this way with your shotguns, you are welcome to the situation." R. J. Allen, one of the inspectors, about this time walked up with the ballot-box; he had brought it on the ground. He heard the last of my remark, that I would leave. My brother said, "Yes, I will go with you." Then says Allen, "After seeing what I have I cannot hold an election here. I have just seen forty men," or "forty double-barreled shotguns," one of the two expressions, "piled across the public road over there." I did not see those myself. He said, "I have just seen them, and I will not hold the election under the muzzles of shotguns. I cannot do it. Gentlemen, here are the tickets," he says, and we left. I admit me and my brother and him were the first ones to show the white feather; we were the first ones to leave that I know of.

Q. Did you vote?—A. No, sir; we did not vote. We went a half a mile to a little storehouse, and we had not quite got to it when we were overtaken by a messenger, who tried to persuade Mr. Allen to go back and hold the election. He told him he would not go, and he rode on from the storehouse, he still persuading. Finally I made this proposition to Mr. Allen: said I, "Allen, if they show any disposition to do the right and fair thing, you want that, don't you?" He said, "Yes, I do; I am willing to hold an election if I could be assured there was going to be no bloodshed, but I will not go there and hold it under the

muzzle of shotguns; I cannot do it." "Now," says I, "I will make this proposition, if they will accept it. I think Mr. Allen will go," I stated to the messenger; "if you will go back there, and their leaders will agree with some of our prominent men that they will appoint a committee or commission," I said, "they may have the majority of that commission if they want it—to clear that crowd of arms they have and have them carried clear away. If this commission is strong enough to remove those arms from there, and guarantee to you, Mr. Allen, that if you will go there there will be no danger, that you shall have peace, and satisfy some of the Independents that are there that they are removed, you will go and hold an election, won't you?" And he said, "Yes, I will go." There were other Democrats rode up in the mean time, among them Dr. Campbell, a prominent man there, and he said, "I will go with the messenger," and others spoke in the same way: "We will see if we can do it, and try to get the thing adjusted." They rode off, and after awhile the messenger came came back and said, "That is all right, it is fixed up, and you can go now without any trouble." We started back and got within two or three hundred yards of the voting place and Dr. Campbell met us.

By the CHAIRMAN:

Q. Were you on foot or on horseback?—A. We were on horseback. Dr. Campbell met us, and he says, "I have come to meet you as friends, to say to you that I do not consider it safe for you to go there." He says, "I tell you that as a friend."

By Mr. FRYE:

Q. He was a Democrat?—A. Yes, sir; he says, "I tell you as a friend I would not go there." He says, "It is one of the most shocking outrages I ever saw perpetrated," that was about his expression.

Q. He was a minister, was he not?—A. Yes, sir; he said, "I would not go there, at least yet awhile. Go back towards the store, and if I see that there is a probability of there being peace I will let you know." But we didn't wait very long for him to let us know. Some of our friends came pretty soon and we went home.

Q. What was the effect of all that sort of performance through that whole section of country upon the colored men?—A. Well, sir, to say that it was a reign of terror is, I think, putting it mildly.

Q. Do you know whether they slept at home or not, or in the woods?—A. A great majority of them slept in the woods.

Q. For how long?—A. I suppose for a week or eight or ten nights.

Q. Some of the women slept in the woods?—A. Yes, sir; I was so informed; their husbands say they did.

Q. Did you know Print Matthews?—A. Yes, sir.

Q. Did you ever hear him make political speeches?—A. Yes, sir.

Q. Did you hear him make any last year?—A. Yes, sir; I did in that campaign.

Q. How many did you hear him make?—A. I don't believe I heard him make but one.

Q. What was the nature of that one; in other words, was there anything in it calculated to stir up the people?—A. No, sir; there was nothing that could be termed incendiary in it.

Q. It was argumentative, was it not?—A. Yes, sir.

Q. Giving reasons why the Independent ticket should be voted rather than the Democratic ticket?—A. Yes, sir; that is it.

Q. Did you see one of those speeches published in the Copiah paper?—A. Yes, sir; one that he made in Hazlehurst.

Q. There was no Republican paper in Copiah County?—A. No, sir.

Q. Was Mr. Matthews a man peaceably disposed?—A. Yes, sir.

Q. A good neighbor?—A. I regarded him as such. However, I lived 20 miles from Hazlehurst.

Q. What was his reputation in Hazlehurst?—A. That was his reputation outside of politics.

Q. He was known all over the county, was he?—A. He was as well known as any man in the county.

Q. The news of his death was at once conveyed to your precinct?—A. Yes, sir.

Q. Do you know whether it was to the other voting precincts around?—A. I do not know.

Q. When the news came to that precinct that Print Matthews was killed, did the Democrats make any demonstration?—A. I was not there; I was about a mile and a half from there, on the upland, at the time the news came there, as I was informed afterwards. I heard a terrible screaming and yelling there, and I didn't know but what there were people being killed there. Me and a friend or two were riding together.

Q. Did you afterwards learn that it was on account of the information?—A. I was on my way home from Mr. Bufkins's when I heard this yelling, within about a mile of home, and soon after I got home a young man, my brother in-law, rode up and informed me that Print Matthews was killed; a note had come to Tailholt; he was there when it came, and he rode immediately to my house. The note came that he was killed, and there was blood on the note, he said; he said he saw blood on the note; it said that he was shot down in Hazlehurst that morning, which was the day he voted, I believe, and he told me; he says there was the awfulest yelling there you ever heard. Leading men, and old men, that you would think would shudder at murder and be horror-struck, just yelled and fairly shouted.

Q. That was the yelling that you heard?—A. Yes, sir.

By Mr. CAMERON:

Q. When that man told the boys to get their guns, that the negroes were coming armed, did you see any negroes coming armed?—A. No, sir.

Q. Was it a fact that they were coming armed?—A. I can only give it as my opinion that it was a fabricated thing, just for the purpose of having them to make that demonstration. That is my opinion as to what it was. I never have heard any one say that they saw any negro coming there with arms.

By Mr. FRYE:

Q. Is not the idea absurd of the negroes arming and rising against the white men?—A. It is perfectly ridiculous.

Q. Would not a few white men riding along the road and firing into the negro houses with their pistols be likely to drive the negroes into the woods?—A. Yes, sir; they would be panic-stricken.

By Mr. JONAS:

Q. Who was the man who made that exclamation?

The WITNESS. Go get your guns?

Mr. JONAS. Yes.

A. His name is S. S. Starnes.

Q. Who was it that said they would get some one that day, and would have got Print Matthews the day before?—A. That was in a

crowd of these drunken fellows; I considered them drunk; there were several of them. It is my recollection now, but I will not state positively, that that was a young man named Perry Butler who made that remark.

Q. He was in a crowd of men all of whom seemed to be drunk?—A. Well, the most of them. He was making remarks. He is a pretty wild young man, and he was making a great many remarks, and it is my impression now that he made this remark.

The subcommittee then adjourned until Wednesday morning, February 20, 1884.

NEW ORLEANS, LA.,
Wednesday, February 20, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas.

The taking of testimony was resumed as follows:

Judge H. R. WARE sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. In Jackson, Miss.

Q. Were you an officer in the Confederate army?—A. I was.

Q. You lost a leg in the service?—A. Yes, sir; I was wounded in the Confederate army.

Q. What position do you hold?—A. I am assistant United States attorney for the State of Mississippi.

Q. Who is the district attorney?—A. Judge Lee.

Q. Where does he reside?—A. Jackson, also. His real home is at Vicksburg, however, but he is located all the time at Jackson.

Q. Are you acquainted down in Copiah County?—A. Yes, sir; I am acquainted very generally through the State.

Q. Are you a Mississippian by birth?—A. No, sir; I am a Kentuckian by birth. I have lived in Mississippi since my early manhood.

Q. How old are you now?—A. I am about 48 years of age.

Q. What are your politics?—A. I am a Republican.

Q. How long have you been a Republican?—A. Since about 1871 or 1872, I think.

Q. You have been in the habit of reading the Copiah papers and the Democratic papers of that section?—A. Yes, sir; to some extent; I believe I take them both; at least I do not take the Signal now; I sent it back after the last election.

Q. Do you remember when Print Matthews made his first speech in the last election?—A. Yes, sir; at Hazlehurst. My understanding was that it was the first speech. I spoke at the same time with him at Hazlehurst.

Q. About how long was that before the election?—A. It was at the commencement of the canvass—early in the canvass.

Q. Immediately after his making that speech did you hear or see in those papers complaints that it was an incendiary speech?—A. I did see many of the papers, amongst which was the Signal and the Brandon Republican, and other papers, in which they spoke of it as an incendiary speech, and spoke of certain things which he had said in his speech.

Q. Such as what?—A. Such as advising the colored people to arm

themselves, and to do other acts of violence; I cannot remember what now.

Q. Were those statements which you saw of such a nature that you are able to connect them with that identical speech?—A. They evidently referred to that speech, naming it so that I did identify it as being the same speech that I heard.

Q. State what kind of a speech it was.—A. I will say, in the first place, that there was nothing about the speech which was of the character as represented in the papers I refer to. At the same time it was a severe arraignment of the Democratic party; I will say an extremely severe arraignment of the Democratic party.

Q. For what?—A. For their acts of violence and their disposition to stuff ballot-boxes, and their different acts, of what he claimed to be wrongs in the State. There was nothing, however, that he said but what I think the facts in the case thoroughly and completely justified him in saying.

Q. Was there any appeal to the negroes?—A. None whatever.

Q. Was anything said about their arming themselves?—A. By no means.

Q. Was there anything that could be tortured into a threat of arming?—A. Upon the contrary, the tendency and teachings of his speech seemed to be just the reverse of that.

Q. Was Mr. Meade, editor of the paper and chairman of the Democratic committee, present at that meeting?—A. He was present at that meeting, and sat by my side during the whole of the meeting in conversation with me.

Q. Did he make any such complaint?—A. He made no complaint at all. We were talking about the speech during the time. When Mr. Matthews was through with his speech, I recollect he came immediately to where Mr. Meade and myself were sitting and asked Mr. Meade playfully some question as to how he liked the speech.

Q. What did Meade say?—A. I do not know; I cannot recollect his remarks at all; he seemed to be in good humor, though.

Q. There was no appearance of ill-feeling between the two men?—A. No, sir. I wish it distinctly understood that Mr. Matthews' speech was a very severe arraignment of the Democratic party.

Q. Was it personal to individuals or anything of that kind, or a general charge?—A. Just general charges against the party.

Q. Did you see in the Copiah newspapers afterwards any statement which referred to the first speech as compared with the subsequent speeches, saying that they were milder in their nature?—A. I did, sir; from the Signal. The second speech I did not hear. He spoke there at the time in conjunction with Mr. Miller, I understand, and they drew a distinction between the first and the second speech, and said that for certain reasons Mr. Matthews did not think proper to make the same speech the second time that he had made first in Hazlehurst.

Q. At any time prior to the day of the election in Copiah County did you in your official capacity receive complaint from any citizen in Copiah County or Hazlehurst touching the outrages which were being perpetrated there?—A. I think it was about a week previous to the election that a courier from Copiah County, one of the Mr. Matthews, I think, brought a letter to me in my official capacity as assistant United States attorney, from Mr. Burnet, reciting the outrages that were being perpetrated there, and saying that the election would be made a nullity of without the acts of violence were brought to a close in some way, and speaking of certain acts of violence that had been com-

mitted, and asking for the interposition of the United States Government to put a stop to those outrages.

Q. One moment right there. Did you return that letter to Mr. Burnet?—A. I have, since that time.

Q. Look this over and say if, in your opinion, that is the letter [handing a paper to witness].—A. [After examining the paper.] This is the letter, sir. I recognize it as the letter directed to me on the 29th of October.

Mr. FRYE. I will read the letter:

HAZLEHURST, *October* 29, 1883.

Hon. H. R. WARE, *Jackson, Miss.:*

DEAR SIR: There was a most horrible and revolting crime perpetrated about 15 miles west of this, in beat 3, on last Thursday night. The facts are these: A crowd of some one hundred armed men went to the house of Tom Wallis, cruelly murdered him and shot his wife. They cruelly whipped, scourged, and inhumanly lacerated Handy Fortner and some half dozen others. These brutes gave the darkies so many days to leave the country, and not to appear at the polls on election day. My purpose in writing this communication is, Can we not commence a criminal prosecution on information in the United States court against the perpetrators of these outrages? By sending the United States marshal down and having these fiends arrested, many votes will be saved to us, and the lives of very many useful citizens. Have appealed to the sheriff for protection for the people, and he has refused to act. Have placed the bruised and lacerated victims before the packed grand jury, and they have ignored a bill. It was organized for the purpose of shielding murderers, and they are doing it. If there is any shadow of legality, file the affidavit at once, and send the marshal at once, for men are being dragged from their sleeping wives and children and murdered. Mr. G. E. Matthews will furnish you with a list of marauders recognized. If you cannot commence the prosecution on information, will you please advise me what course to pursue? The people are calling on me, as chairman of the executive committee, for protection and advice. I am powerless to give either. Chief Executive Lowry has placed State arms in the hands of these midnight assassins. Early action is urged. Everything favorable to us, with the exception of said organized mob of bandits in beat 3.

Hoping some relief, I am, yours, &c.,

A. W. BURNET,
Chairman of the Independent and Republican Executive Committee.

By Mr. FRYE:

Q. Was there a list of names accompanying this?—A. Yes, sir; there was.

Q. How long a list?—A. I cannot call to mind now.

Q. On receipt of that letter what did you do?—A. I at once took the letter to Judge Lee, my superior, the United States attorney for that district, and consulted with him in reference to it. We both examined the law as to whether or not the United States Government would have jurisdiction in a case of that sort. We differed somewhat in reference to it. He thought, however, that the Government had no jurisdiction in the case, being at a State election. Hence, he determined that the remedy which Mr. Burnet and others from Copiah County desired, the interposition of the General Government, could not be had; upon reflection and investigation of the United States law, we determined that the Government would have no jurisdiction in a case of that kind growing out of the fact that this was a State election and not an election in which United States officers were concerned.

Q. Did you convey the information as to the result of your examination of the law to Mr. Burnet?—A. I did in a letter, and personally to Mr. Matthews, who was returning on the return train to Hazlehurst.

Q. Which Mr. Matthews was that?—A. Mr. Gall Matthews, I believe.

Q. It was not Print Matthews?—A. No, sir.

Q. Do you know whether or not Mr. Matthews went to the governor

of the State and demanded protection?—A. I was not present, but I think it was on the Sunday before the election that Mr. J. P. Matthews came to Jackson for the purpose of seeing the governor. I saw him whilst he was there. I know that he had an interview. I say I know it; I was not present and saw it, but I learned—of course this is hearsay, we understand, and legally speaking, I am conscious of the fact that what I would state in that regard would not be proper evidence in court.

Q. But there is no doubt he had the interview with the governor from what you saw?—A. There is no doubt about that.

Q. I will call your attention now to the letter received from Mr. Burnet. Is that the list of names [handing a paper to the witness]?—A. [After examining the paper.] I think it is, sir. Of course there is nothing to enable me to identify this paper except my general recollection of names.

Mr. FRYE. Will you please read the names?

The WITNESS read as follows: "J. F. Thompson, W. W. Womack, Joel W. East, John B. Middleton, F. M. McCree, William Millsaps, Jesse Thompson, jr., F. M. Davis, Emmit Spencer."

Q. Well, officially, were you in possession of the facts of what was going on in Copiah County for a week or two before election?—A. I was not in Copiah County except in the fore part of the canvassing.

Q. Did the rumors come to your office?—A. Yes, sir; through every conceivable avenue almost.

Q. So that it was generally known up in Jackson?—A. Oh, yes, sir.

Q. The condition of things down there was notorious over that section of the State?—A. Yes, sir; undoubtedly.

Q. Was this outrage business confined to Copiah County in that election?—A. No, sir; by no means.

Q. From what other sections of the State did you learn that it was being followed?—A. Well, it was especially so—I speak now only of those counties that came under my eye. I might mention, in this connection, that I was candidate for district attorney at this recent election. In the counties embracing the district were Copiah, Hinds, Madison, and Yazoo, and I canvassed all of those counties. Hence it is that I can speak more particularly from personal observation only in reference to those counties in which I came in personal contact with the people of the various counties I allude to.

Q. You may state generally in reference to that election in those counties.—A. In Hinds County they resorted to the more civilized method of stuffing ballot-boxes rather than intimidation of the people, because we had such a white following in that county that it was not exactly the prudent thing to carry on intimidation to much extent; it had two sides to it there.

Q. How about Madison County?—A. In Madison County there were acts of violence that were scarcely excelled in Copiah County itself, with the single exception that there were no murders there. But the cause of that was that just previous to the election, a few days previous to the election—three days perhaps—the intimidation and violence were practiced to such an extent that the Independent party there were compelled to meet together and formally withdraw their ticket, although there was every assurance that they would have carried the election, by a fair election, by fifteen hundred to two thousand majority. They met, and in a formal resolution published withdrew their ticket. The chairman of the Independent committee, Dr. Passmore, stated, in his speech before the committee, that he had assurances, which were beyond a

question, that if they attempted to carry on their election there and have an election, that prominent men would be murdered that were upon the ticket, and others.

Q. As a matter of fact the ticket was not voted for on election day?—A. In some places they may nevertheless have voted; but they formally met and formally withdrew their ticket, stating these causes for it. I have it amongst my papers somewhere, I think. [After searching among his papers.] Yes, this is it. Shall I read it?

Mr. FRYE. If you please.

The WITNESS read as follows:

Resolved, That we, the Independent executive committee of Madison County, believing that, from demonstrations of leaders of the Fusion party, any effort to enforce our rights at the ballot-box would be productive of bloodshed, violence, and lawlessness, and that murder and assassination are contemplated by the Fusion leaders: Therefore,

Resolved, That we, the executive committee and candidates of the Independent party, leave the untrammeled control of this election to the opposition, and believing that the rights of all non-partisan voters are trampled upon when ours are so treated, we appeal to that element to vindicate our course.

F. B. PASSMORE, *Chairman.*
J. L. JONES, *Secretary.*

By Mr. FRYE:

Q. They speak of the Democratic party as the Fusion party, do they?—A. Yes, sir.

Q. What was that fusion?—A. It was a fusion of certain leaders, of so-called leaders, colored men in the Republican party, and the regularly organized Democratic party of Madison County.

Q. To what extent were the colored men in it, do you know?—A. Only to a very limited extent.

Q. A few of the leaders?—A. Yes, sir.

Q. They did not carry with them the bulk of the black vote?—A. Unquestionably not, manifestly not; not one in twenty.

Q. I suppose, of course, you have no means of knowing how these black leaders were secured?—A. No, sir. I have a fixed idea, however.

Q. But you have no facts you can testify to?—A. No, sir.

By Mr. SAULSBURY:

Q. You reside, you say, in Jackson, Miss.?—A. Yes, sir.

Q. That is not in Copiah County?—A. No, sir; not at all.

Q. You were once a judge on the bench?—A. Yes, sir; I was once a chancellor.

Q. By whom appointed chancellor?—A. By Governor Ames.

Q. Whom did you succeed in that office?—A. Mr. Peyton.

Q. Was Peyton removed by Governor Ames?—A. I believe he was.

Q. And you were appointed?—A. Yes, sir.

Q. How long did you hold the office?—A. I held the office until 1876. I held the office until, by legislative action, and a vote which was had by the people, it was determined that the result of that vote operated as a vacation of the offices of all of the present officials of the State.

Q. Then your office became vacant by the action of the people of the State of Mississippi?—A. No, sir; there was no such question presented to the people at all.

Q. I thought you said it was vacated?—A. I say there was an amendment to the constitution voted upon which was so construed as to operate that way by the Democratic party, which came into power in 1876.

Q. You were in fact, however, by the votes on that constitutional

amendment, or your office was, abrogated, was it?—A. Yes; that is true.

Q. You say you heard the first speech of Mr. J. P. Matthews in the canvass, and that it was a severe arraignment of the Democratic party?—A. Yes, sir; I understand this to have been the first speech. It was the only speech I ever heard from Mr. Matthews, and I understand it was the first speech made in the canvass. I presume that is unquestionably so.

Q. What office do you now hold?—A. I am assistant United States attorney of the State.

Q. By whom were you appointed to that office?—A. By General Grant.

Q. You have been in that office for a number of years?—A. I have.

Q. And you say that complaint was made to you as a Federal officer, by a letter from Mr. Burnet, of outrages in Copiah County?—A. Yes, sir; the letter which has been read before the committee.

Q. Had you any personal knowledge of these outrages?—A. I had not.

Q. It was simply hearsay evidence from Mr. Burnet?—A. Yes, sir. I had been in Copiah County in the early part of the canvass, and had been treated with the utmost courtesy and respect while there.

Q. Your interposition was sought as a Federal officer in the affairs of Copiah County, under the plea that unless there was a marshal or somebody sent down there that the Republican party would be defeated?—A. That is true, sir.

Q. Has not that been customary very frequently, in the history of Mississippi, that Federal interposition has been invoked to aid the Republican party in the elections?—A. Not, sir, to aid the Republican party so much as for the purpose of protecting the people in their rights.

Mr. SAULSBURY. That is a matter of construction which you put one way and I another.

The WITNESS. But I don't want it put into my answer.

The CHAIRMAN. Mr. Saulsbury asked the witness whether it had not been customary, in the history of Mississippi, to seek the interposition of the Federal Government in behalf of the Republican party, to which the witness replied that that was not the case, that the interposition was in behalf of the fairness of the election, or whatever phrase he used. Now, the witness certainly was justified, in answering to such a question, in giving his construction, whatever the Senator's construction might have been.

Mr. SAULSBURY. I am perfectly aware that the minority of this committee is subject to the rule and interposition of the majority of it, and must bow, therefore, with due deference to whatever decisions they make. But I have an intelligent witness before me, capable of answering any question put to him in his own way, and I think, therefore, and I say it in all respect to the chairman of the committee, that I have a right to examine this witness without the intervention or interposition of the chairman of this committee at all.

The CHAIRMAN. Certainly; you shall have that right accorded to you to the fullest extent.

Mr. SAULSBURY. I shall claim it, assuredly.

By Mr. SAULSBURY:

Q. You say that when that letter was written to you, that you and Judge Lee differed as to the power or right of the General Government to interfere upon matters of information of that kind in the affairs of

Copiah County?—A. I cannot say that we materially differed as to the law. Both of our judgments were susceptible of doubtful construction, but I favored taking the benefit of the doubt and exercising the power, and leaving it finally to the judge when it came before us.

Q. You, as assistant district attorney, with a doubt as to your authority, were in favor of interfering to the extent of your power to control the affairs of that county?—A. Yes, sir; and leaving that doubt to the judge of the court.

Q. You at that time were a candidate for office, were you not?—A. I was.

Q. You were in favor, therefore, of Federal interference to the extent of any authority which you had to promote your own interests as a candidate in those counties upon mere information, not of any personal knowledge, but upon personal information; is that it?—A. I object again to your construction, Senator. I was not interfering for myself or for my official position by any means. But again I repeat that I was in favor of an interference to protect the lives and rights of the citizens of Copiah County.

Q. Upon mere hearsay evidence you were in favor of it then, if I understand you. There were outrages committed without personal knowledge, without any affidavits; was there a single affidavit?—A. They were proposing to furnish the evidence.

Q. But you had no affidavit before you then?—A. I was proposing not to take any steps until the affidavits were made. But that letter and the information coming to me was that affidavits would be filed, and when those affidavits were filed setting forth a state of facts which were justified even upon those affidavits, I favored an information arresting these parties.

Q. You say there were rumors of other outrages in the various counties there. You spoke of Madison and Hinds Counties.—A. No; not in Hinds, but in Madison County.

Q. Now, sir, in that county was there not a fusion of the Republicans and the Democrats?—A. There was a fusion of a few so-called leaders of the Republican party and the regularly organized Democracy of the county.

Q. Do you know the extent of that fusion? Have you any personal knowledge as to how many Republicans were fused with the Democrats?—A. I canvassed Madison County very thoroughly, and I had just that knowledge that a man ordinarily would have after such a canvass. It satisfied me, however, that there was not one Republican, as I said before, in twenty—I will say not one in forty, scarcely—that favored this fusion in the county.

Q. You say that in Hinds County they resorted to the most civilized method of stuffing ballot-boxes?—A. That is it, sir; you are using my words.

Q. Is ballot-box stuffing in Mississippi an evidence of a high state of civilization?—A. It is rather a higher state of civilization than murdering men for voting. It is just one degree above it.

Q. Well, there could be no ballot-box stuffing until after the election?—A. Yes, sir; it is done during the election.

Q. But during the process of the election; it is not done during the canvass, not until the election comes off?—A. Certainly not.

Q. Now, with reference to the withdrawal of the ticket in Madison County. I ask you the question on your oath whether you do not believe that the withdrawal of that ticket was permitted from the fact that they believed that they would be defeated?—A. On the contrary, I am

fully conscious of the fact from personal observation and from talking with Independent and Republican leaders throughout the county that the universal opinion was that the ticket opposed to the regularly organized Democracy would have carried the county by from fifteen hundred to two thousand majority, and that is the opinion universal in that county amongst the Independents and Republicans. And, yet in the face of that belief among them, they published that letter withdrawing it and setting forth their reasons why, upon the statement of Dr. Passmore, a man who stands as high in Madison County as any man stands in the State of Mississippi.

T. E. MATTHEWS sworn and examined.

By Mr. FRYE:

Question. Are you a brother of Print Matthews?—Answer. Yes, sir.

Q. Where do you reside?—A. In Copiah County.

Q. What part of it?—A. In the southern part.

Q. How far from Hazlehurst?—A. Fifteen miles.

Q. In beat 3?—A. Yes, sir.

Q. What is your business?—A. I am a farmer, and a sort of one-handed merchant.

Q. Do you have a store there?—A. Yes, sir.

Q. In that beat?—A. Yes, sir.

Q. I wish you would give the committee your knowledge of what was going on in that section of Copiah County for two or three weeks previous to the last election day?—A. Well, sir, there was a good deal of rioting and riding around, and shooting, whipping, &c., in that country for some days before the election.

Q. How many men did you see at any one time mounted and riding around the country?—A. I saw about 150 or 200.

Q. Under command of an officer?—A. Well, they seemed to have a commander.

Q. Do you know who was major or captain of the crowd?—A. Mr. Wheeler, I think.

Q. Ras. Wheeler?—A. Yes, sir.

Q. Did they apparently obey his orders in their movements?—A. Yes, sir.

Q. Were they armed?—A. Most of them were.

Q. With what?—A. Guns.

Q. What kind of guns?—A. Shotguns and rifles.

Q. Did they have any of the State rifles?—A. I don't know whether they did or not.

Q. They had rifles; did they have repeaters?—A. Yes, sir; some of them did.

Q. Did they come to your store at any time?—A. Yes, sir.

Q. When?—A. I think it was on Thursday night before the election.

Q. What time?—A. I suppose it was 10 o'clock at night.

Q. Who was there at the store?—A. When they first came there was no one; we were at the house, a little distance from the store. We went down to the store and met the mob there.

Q. Who went with you?—A. Mr. Bondurant and Mr. Ormon.

Q. Did you go in the store?—A. Yes, sir; we did.

Q. Tell what took place?—A. We went in the store and opened the front door (the road passing right by the front door of the store) and made up a big light. They stopped south of the store some fifty yards and

fired off their cannon and whooped and yelled around and started off, and then they came back past the store. They were two or three hundred yards along, stringing along, and when the rear passed they wheeled and passed back, and as they passed back we were sitting in the store in front of the fireplace, and there were two pistol shots came in the front door and struck the fireplace, and in a second or two there were a good many balls came through the house.

Q. Came near you?—A. Yes, sir.

Q. How many balls did you say came in?—A. I do not know; I picked up four or five or six; there were a good many came in through the house.

Q. How long did they stay there that time?—A. They staid there, I reckon, half an hour.

Q. Did they say what they were doing this for, or anything of that kind; did they indicate by their talk what they were up to?—A. They said it was a white man's country, and they were going to rule it, and they didn't want any negroes in it, and a lot of stuff, and that if I said a word they would take me out, if I opened my mouth, and abused me a good deal and cursed me.

Q. Did they point the cannon at the store?—A. I was standing on the gallery when the cannon fired, and I felt the wind of the blow towards the house.

Q. Did you hear anything said about loading it with a chain?—A. Yes, sir; somebody proposed putting a log chain in and shooting down the house, and some said a sack of buckshot.

Q. How long did they stay there?—A. I suppose, altogether, they were there about an hour.

Q. Did you hear anything of them at any other time?—A. I heard of them all through the country there. The next morning there was a squad of armed men—I believe it was six or eight men armed with shotguns—came to the store. I met them on the gallery. They rode up to the gallery, and the man who seemed to be in charge of the squad asked if it was me, and I told him it was, and he said he had a paper for me, and handed me a paper, and they turned and rode off. It was some resolutions they had passed that night, I reckon.

Q. Have you that paper?—A. No, sir; I have not got the paper.

Q. What was it, as near as you can tell?—A. It was resolutions that if there was any damage done to certain parties, violence, or in any way, that the Matthews brothers would be held personally responsible, and nothing would satisfy but their blood. The parties were, as well as I recollect, J. F. Thompson, F. M. McCree, and Joel East. I don't recollect the others.

Q. They were the parties who were in that mounted mob?—A. I do not know, sir, at that time. I think they were, though.

Q. How many were there in that mob the second time when they were at your store?—A. I did not see them at my store any more after that night.

Q. I mean when they came back; did they all come back?—A. I don't know whether they all came back. It looked as though there were 150 or 175 who came back.

Q. How early before election did you first hear any firing around in the country?—A. About a week, I think.

Q. During the whole week prior to the election, state whether or not there were squads of armed men every night perambulating the country?—A. I could hear it rumored, but I did not see them.

Q. Could you hear firing about every night?—A. Yes, sir; I could hear firing almost any time.

Q. Did you hear that cannon occasionally?—A. Yes, sir; before the election, nights.

Q. What is the population around through that section of country in the county?—A. I could not say.

By Mr. CAMERON:

Q. Are they white or colored?—A. Colored.

By Mr. FRYE:

Q. Most of them farmers and farm hands?—A. Yes, sir.

Q. Is it sparsely settled?—A. Yes, sir.

Q. What effect did those proceedings have on the colored people in that part of the country?—A. It seemed to frighten them a good deal.

Q. Do you know whether they took to the woods?—A. Yes, sir; I think they did.

Q. Did you leave your store?—A. I left on Saturday before the election.

Q. What for?—A. I went to Hazlehurst and went before Mr. Williamson and made an affidavit against the parties, a good many of them.

Q. What did you do that for?—A. To keep them from rioting and shooting people, &c., throughout the country.

Q. Had either you or any of your family, within your knowledge, made any threats against these parties whose names were handed to you?—A. No, sir; we had not.

Q. Did you know up to that time that they were doing anything against you?—A. No, sir.

Q. Had you any intention up to that time of doing anything against them?—A. No, sir.

Q. And the first thing you did do was to go, under the laws of the State, and make complaint?—A. Yes, sir.

Q. Where were you Monday?—A. I was at Hazlehurst.

Q. What did you see of them that day?—A. I saw them parading the streets.

Q. The same crowd?—A. Yes, sir.

Q. Mounted and armed?—A. Yes, sir; both times.

Q. Were they saying anything?—A. I do not know. They were saying, "Somebody had better get away from here," and all such things as that. I was at my brother's store when they passed his store; I stood right in front nearly of the store, and one of the men rode back to his house, and afterwards carried him a resolution.

Q. Do you know what efforts your brother made during that week or ten days to keep the peace?—A. No, sir; not of my own knowledge.

Q. Did you hear him make any speeches?—A. Yes, sir.

Q. How many?—A. I heard part of two of his speeches.

Q. Was there anything in those two speeches where he exhorted men to take up arms and fight?—A. No, sir; nothing of that kind.

Q. Anything where he incited violence at all?—A. No, sir.

Q. What was his character as a man in the community there?—A. He was a civil, law-abiding man.

Q. Did you ever know of his undertaking to incite negroes to arm themselves?—A. No, sir; I never did.

Q. Is not that a little absurd, the negroes arming themselves against the whites of Copiah County?—A. Yes, sir.

Q. How many white men armed and mounted do you think it would

take to drive the negroes all to the woods?—A. I think that mob was sufficient, from the way they drove them down in that country.

Q. Do you know of your brother going to Dr. Oatis to get him to see if something could not be done to stop this?

The WITNESS. Which brother?

Mr. FRYE. Any brother.

A. I think that my brother Ed. Matthews went to Dr. Oatis in my presence.

Q. What did he say to him?—A. He asked him if he could not stop the mob. He said they were talking about going up to my brother's and father's house on Monday, and my father was sick, and he did not want the mob to go up there.

Q. Was young Mr. Matthews' wife there sick?—A. Yes, sir.

Q. Did he so inform Dr. Oatis?—A. Yes, sir.

Q. And was that given as a reason why he wanted them to keep away from there?—A. Yes, sir; that was one reason, that his wife was sick.

Q. What did Dr. Oatis say, that he would try to do it?—A. Yes, sir.

Q. Do you know whether he did try to or not?—A. I do not know whether he did try to or not. He said he would do all that he could.

Q. You left your store that night, do you say?—A. I left there on Friday.

Q. Did you go back again?—A. No, sir.

Q. When did you first go back?—A. It was a week or more after the election.

Q. You did not go back until a week after the election?—A. No, sir.

Q. So that you did not go up there and vote?—A. No, sir; I did not vote.

Q. Which was your beat?—A. Beat 3.

Q. Which was your polling precinct?—A. Centennial.

Q. Did you think it was safe for you to stay there in your store that week?—A. No, sir.

Q. What has been going on since the election; has anything been said or done to you?—A. Nothing, only these resolutions that were passed since the election.

Q. The long resolutions referred to at the meeting?—A. Yes, sir.

Q. Have you felt at peace and rest since the election?—A. No, sir; not altogether.

Q. Have you staid at home much since?—A. No, sir.

Q. On account of these threats which were made, and the resolutions?—A. That is one reason; yes, sir.

Q. Did you go up to Wallis' house after he was killed?—A. No, sir; I didn't go.

By Mr. CAMERON:

Q. Did you recognize any of the parties who made the attack on your store?—A. Yes, sir; some of them.

Q. You may give their names.—A. Mr. Wheeler, Jesse Thompson——

Mr. FRYE. Which Wheeler?

The WITNESS. Ras. Wheeler, Jesse Thompson, Marion Higdon, and Mr. Charles Allen. I believe that is about all that I recognized.

Q. How many of those whom you recognized reside in Hazlehurst?—A. Mr. Wheeler is the only one; but the next day I recognized two or three from Hazlehurst who came up with the resolutions. There was Charlie Hart and Hans Penn.

J. W. DUNBAR sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. In Copiah County.

Q. What part of it?—A. In the western portion, beat 3.

Q. What is your voting precinct?—A. Tailholt.

Q. Were you in Copiah County for a fortnight before this last election?—A. Yes, sir; all the time.

Q. Are you a constable in that part of the county?—A. Yes, sir.

Q. Are constables elected?—A. Yes, sir.

Q. You are not a constable now?—A. No, sir.

Q. But you were at that time?—A. Yes, sir; I was at that time.

Q. I would like to have you state to the committee what you know about the operations of this mob prior to the election?—A. The first I knew of it was, I think, about two weeks before the election. Mr. Guynes and Mr. Rowan were appointed to speak at Goff's Store.

Q. Democrats?—A. Yes, sir. I did not go over until late in the evening. I knew about what they would say, and I didn't go over until they had just about got through. I had no idea but what I would find everybody quiet and peaceable. I rode over, and they had wound up the speeches, except the board of supervisors, he was criticising them sharply, Rowan was, and the whole force were armed, sitting around him as though they were guarding him. I think they all had a six-shooter apiece, and maybe more, and double-barreled shotguns, and everything they could get hold of. There were several Republicans and Independents in the storehouse and around the house. I rode up and hitched my horse to the door and got down and went in; I walked in the house; I didn't stop out where the crowd was. They soon made it convenient to say something to me to start a row, as I thought. I thought at first I would not resent it; but I made some remark back to them, and Dr. Rowan asked me to hush and not say anything. When they went to start off they jumped on their horses and began to fire off their pistols, and I was very anxious to see who it was that had the concealed pistols; I wanted to report them to the grand jury, and they caught me watching them, and cursed me and told me it didn't make any difference about my reporting them. They fired off their arms generally and left. The next Monday I went to our court—our circuit court—to report them, and I met Dr. Rowan and told him that I had spoken with him all over Copiah County, and looked upon him as a gentleman, and if he tolerated that I would take it all back. He said he did not; that he opposed it from the beginning.

Q. He was a Democrat?—A. Yes, sir; and he was a very nice man I thought, and do yet. He said he opposed it all. The next Saturday night, prior to the election, I went out in the neighborhood, and from what I could find out——

Q. One moment. Dr. Rowan was a Democrat and a candidate for the legislature?—A. Yes, sir.

Q. Go on.—A. On the next Saturday night I rode out in the neighborhood, and from what I could hear I thought they were going to Goff's Store that morning. The appointment was at Tailholt, but I thought they would be up there. After supper I told my little boy we would go possum hunting. We got within a quarter of a mile of the store and I saw fifteen or twenty armed men in the woods and I walked down. I had a light in my hand, and there was one man on his horse, and I thought I knew him by the spots on his animal's face, and I spoke to him and stuck my light in his face and found that it was Frank Thompson.

I asked him what he was expecting to do that night. I suspected then the killing of Tom Wallis, and he said, "Nothing." And I said, "All right," and I went on up to the store. When I got there I found Mr. Goff standing with his hand on the knob of the door, holding it.

Q. Is he one of the merchants there?—A. Yes, sir. I walked in and asked for a match. I wanted to recognize all the parties there that I could, and he told me for God's sake not to strike a match there, and by this time I heard the sound of horses' feet, and I should think there were five hundred, but I don't suppose there were over one hundred and fifty altogether. I became alarmed, thought they might be drunk, and I didn't know what they were doing. But I stepped off about ten steps below the house and lay down. When they rode up they rode up in a terrible wrangle, and they called on Major Wheeler for a speech.

Q. Is that Ras. Wheeler?—A. Yes, sir. He got up and made several remarks, and I don't know what all he didn't say. He said they were out electioneering, and there was one thing, however, that they did not expect to coax these colored people any longer to vote; they expected them to vote the Democratic ticket, and if they did not he would kill them outright; that he had pulled several of them out and made them say they would do it, and that that election had to be carried at all hazards. They cheered him terribly, and I suppose staid there an hour, and then they rode off. The next morning myself and Allen and Goff got together, and we followed after the trace of them where they had went to see what damage they had done. We went off to Brown's place, about 3 miles, and we heard of no damage done. They had all fled to the woods.

Q. The people living there had fled to the woods?—A. Yes, sir; women and children and all. While sitting on our horse talking about that we saw a man come running for a physician. He said a man further on had his leg shot in two, and his wife shot through the shoulder, and Dr. Jones was summoned in and he did up the wounds. He was shot badly. We went back home, and the next morning I rode out to see the people generally. I was interested for them to go to the polls, and made them agree to go out. I told them there was no harm in going; that if they were not allowed to vote they could go home again. I told them to go from one to five in a squad, not more than five, and to go quietly and peaceably to the polls, and if they did not allow them to vote they could go home. Accordingly the most of them went. There were a few that didn't go, but they turned out pretty generally. Myself and Dr. Barlow and Mr. Goff rode down next morning to see what was going on, and we rode through the picket line. There was an armed force picketing the road.

Q. On the road to the polls?—A. Yes, sir; about fifty yards from the polls. When I got to the polls they began to fire their guns, like skirmishing in the Army.

Q. What precinct was that?—A. That was Tailholt. About 9 o'clock, I suppose, one of the Independent inspectors rode up and they hallooed, "All go to their guns," and he became frightened and laid the box down and left.

By the CHAIRMAN:

Q. That was Mr. Allen?—A. Yes, sir. I got between them and appealed to them, and said I could say for the Independent part of them that if any of them showed any demonstration in the world I would arrest them; that is, the Independents; that the Independents should not do them any harm if they would allow them to vote; that is all

they wanted. I finally got them quieted, and they got me to go after Mr. Allen, and Mr. Allen requested me to go back and tell them if they would insure him his life he would come back and hold the election. They said they could not insure him anything, and he would not come. It went on that way until about 12 o'clock. I was on my horse all the time. Finally they proposed to me to act as inspector. By this time the most of the white Republicans had already gone, and I told the balance to leave; that there was no use staying there. I read the election law to them, and asked them for help in holding an election. I did not consider it an election at all, and told them that not the first section of the law had been complied with, and that I would not have anything to do with it. Sam Starnes said, "We have come here to carry it, and we are going to do it, and we told them before they came that they could not vote anything but the Democratic ticket." I staid until 5 o'clock and heard of the death of Print Matthews, and then I went home.

Q. Did the crowd hear of the death of Matthews when you did?—A. Yes, sir.

Q. Was the news read?—A. Yes, sir.

Q. What was done?—A. There was a great deal of rejoicing.

Q. Did they hurrah?—A. Yes, sir. These men that he was feeding right then, and had been for three years, feeding them every mouthful they had got to eat, they were rejoicing at it; and I knew it at the time. Sam Starnes, when he could get a man to vote the way he wanted to, would say, "All in favor of having such a colored man vote will say ay," and then they would let him in. That is the way they voted all except those who voted the straight Democratic ticket. I think there were seven or eight Independents voted that day, and we had had quite a large majority of Independents at that box. I do not think there was a single colored man who voted the Independent ticket that day; I am satisfied there was not.

Q. When you were elected two years before, what vote did you have in that precinct?—A. I disremember the exact number, but I was largely in the majority though.

Q. Were you a candidate this time?—A. Yes, sir.

Q. How many votes did you get?—A. I was largely in the minority this time; I did not do so well this time.

Q. Were you in the Confederate army?—A. Yes, sir.

Q. How long?—A. I was in off and on for four years.

Q. Hold any office?—A. Yes, sir.

Q. What office did you hold?—A. First lieutenant.

Q. How long have you been a Republican?—A. I have never been a Republican.

Q. What have you been?—A. I have been a Democrat.

Q. How long have you voted the Democratic ticket?—A. Ever since the war.

Q. You were not elected constable as a Democrat?—A. No, sir; as an Independent.

Q. That was the first time you had an Independent party, two years ago?—A. Yes, sir.

Q. This year you were running as Independent?—A. Yes, sir; I voted part of the Democratic ticket this year. I voted against myself, however.

Q. Have you any idea how many Democrats within the last two or three years in Copiah County have become Independent Democrats?—

A. A great many. I think the Independent Democrats and Republicans are in the majority.

Q. How many Independent and Republican voters are there in Copiah County?—A. I could not say, except in my immediate neighborhood. In my immediate neighborhood they are pretty nearly all Independent voters. We are largely in the majority, however.

Q. Do you think you had a majority in Copiah County?—A. I don't think anything about it; I know it. I do not say that I had a majority on the whole ticket. I believe if we had a fair election that Guynes would have been elected for the legislature, and one of the Independents. I do not believe really we would have elected our full ticket. That is my opinion. I think we would have elected our ticket because a good many of the colored people would have voted for Guynes and a heap of Independents would have voted for him, and I think that it would have been a good deal better than it is now. It would have been mixed considerably.

Q. When you went up to Tailholt did you see men there armed with guns?—A. Yes, sir.

Q. I do not know but what you stated it was picketed.—A. Yes, sir; it was picketed. I did not see with my own eyes only one road that was picketed, but I am told that all the roads were picketed. I knew several that jumped off their horses and ran off down the creek; they never got to the polls at all.

Q. Were they Republicans?—A. Yes, sir. I do not think I could exaggerate it or that anybody else could, the crimes that were committed in that beat.

Q. What effect did the operations of this mob have on that whole section of the country?—A. A very demoralizing effect against the Independent party.

Q. Did it frighten many of them away?—A. Yes, sir; a great many.

Q. What became of the colored people generally?—A. Oh, they laid in the woods for weeks.

Q. Did some white people go to the woods, too?—A. I think they did; I know some lay in the woods; I did not.

H. L. BUFKIN sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Copiah County, Mississippi.

Q. What part of it, which beat?—A. Beat 1.

Q. What is your voting precinct?—A. Martinsville.

Q. What is your politics?—A. Democrat.

Q. Were you in the Confederate army?—A. No, sir.

Q. Not old enough?—A. No, sir.

Q. Did you see anything of this armed mob on the day of the last election?—A. Yes, sir.

Q. Where?—A. They were going to Spencer's Mill, it seems.

Q. How far from Hazlehurst were they?—A. About 8 miles.

Q. How many of them?—A. About 20.

Q. Mounted?—A. Yes, sir,

Q. Armed?—A. Yes, sir.

Q. Who was in charge of them?—A. Mr. Joe Bailey.

Q. A Democrat?—A. Yes, sir.

Q. What time of day?—A. About 3 o'clock, I think.

Q. They were going towards whose mills?—A. Spencer's Mill.

Q. Did you have a talk with them?—A. Yes, sir.

Q. What?—A. I asked them if there was any trouble down below; I asked them what was up. They said there was trouble at Spencer's Mill. They said that the Independents were trying to run over them down there. I have a brother down there, and that was the reason I was going there. I did not vote there; I went down to see how things were going. I asked them who was in it, and they told me of several, and my brother, they said, he was in it, too.

Q. Your brother Frank?—A. Yes, sir; Frank Bufkin; and I told them that I wanted to go and get him away from there before they got there. Well, they told me I could do it, but it was getting pretty close by, and I told them that I would hardly have time to go there and asked them if they would wait for me and they said they would. But they all got there about the same time, but he was not there; he was gone.

Q. What did they say they were going to do with your brother?—A. Well, they were going to kill him.

Q. Who said that?—A. I don't know who it was. That was after they had told me I had better get him away from there. It was some one in the crowd.

Q. Was not Bill Higdon there?—A. He was the first man I had a talk with, and I asked him if they were going to kill anybody, and he said yes.

Q. And you asked him if you might go ahead and inform your brother?—A. Yes, sir; and he said he did not know; that Bailey was the captain of the club.

Q. Did he say that he must consult Bailey?—A. I rode on and Higdon called Bailey back, and before I got by Bailey stopped me and told me I could pass.

Q. Did you go down to Spencer's Mill?—A. Yes, sir.

Q. Down to the voting place?—A. Yes, sir.

Q. Were the Democrats armed there?—A. Yes, sir.

Q. What with?—A. Shotguns and pistols.

Q. Any Winchester rifles?—A. Well, there was one man, he was out 50 yards, I reckon, from the fellows, with a Winchester rifle.

Q. Were any of the colored men voting there?—A. Not when I was there.

Q. How long did you stay there?—A. I think about ten or fifteen minutes.

Q. Then where did you go?—A. To my brother's.

Q. Frank's?—A. Yes, sir.

Q. Did you find him?—A. Yes, sir.

Q. What did you tell him?—A. I told him if I was him—I told him what they said, and I said I would leave home and tried to get him to do it.

Q. Did he do it?—A. No, sir; not while I was there, he didn't. I did not stay there long, and I don't know whether he did or not.

Q. Did you see anything of this armed mob prior to that?—A. Yes, sir; on Friday before, I was going down to my brother's, and I heard some cannons and guns shooting.

Q. Many of them?—A. Yes, sir; a good many; and I stopped, and I hadn't been stopped long until there was a crowd came by where I had stopped.

Q. A crowd of mounted and armed men?—A. No, sir; they were not armed. Those that overtaken me were not armed; they did not have any guns; I don't know what else they might have had. They rode up and I asked them what was up down below; I told them there must be war

down below; and one man took me off one side and asked me if I didn't know what was up. I said I didn't and he told me; he said they were going to clean out beat three. That was on Friday that they were going to do that; going to clean it out by Monday night; going to be ready for Tuesday morning to carry their beat.

Q. Who was that that told you that?—A. Mr. Womack.

Q. A Democrat?—A. Yes, sir.

Q. The night that you went up to see your brother and advise him to leave, did you go to bed?—A. Not until late.

Q. You sat up nearly all night, didn't you?—A. Yes, sir.

Q. Did you feel any anxiety?—A. Why, yes, sir.

Q. Not on account of yourself, but on account of your brother?—A. Yes, sir; none on account of myself.

Q. Did you hear this crowd on Saturday night?—A. Yes, sir.

Q. What did you hear that night?—A. I heard a great deal of shooting, and negro women and children were running about and wanting to know what to do. I was right close by. That was near Tailholt, and I was down in that neighborhood. I went down to my brother's on Friday. That was Saturday night after Friday night, and I had not got home. I was down in that neighborhood.

Q. Negro men, women, and children?—A. I didn't see any men; there were women and children.

Q. Where were the men?—A. I don't know.

Q. Where do you think they were?—A. They said they were in the woods; they were gone somewhere.

Q. The women and children were alarmed, were they?—A. Yes, sir.

Q. What did they want to know?—A. They wanted to know what to do.

Q. What did you tell them?—A. I told them I didn't know. I told them they would have to do the best they could, I could not advise them.

Q. Where were you on Monday before election?—A. I was at home.

Q. Did you hear anything of them on Monday?—A. I never saw any, but I heard the shooting of cannon all day.

Q. Around through the country?—A. Yes, sir.

Q. Where were you on Tuesday, election day?—A. I went to Martinsville and voted. I left there about 11 o'clock to come home and started to Centennial, and I met Mr. Gall Matthews on this side of Centennial, and he told me his brother had been killed in Hazlehurst, and I turned around with him and went back to Spencer's Mill, where my brother voted, at his precinct.

Q. What was the appearance of things at Spencer's Mill?—A. Pretty gloomy, I thought, from the looks of everything.

Q. Were there armed men there?—A. Yes, sir.

Q. Many of them?—A. Well, yes, sir; a good many.

Q. You did not see any negroes there armed, did you?—A. Well, no, sir.

Q. Were there many colored men around there at all?—A. No, sir; very few—three or four.

Q. Did the white men, Democrats, have guns there?—A. Yes, sir.

Q. Did you hear these people threatening Mr. Matthews?—A. No, sir.

Q. You did not hear threats against anybody in particular, except your brother?—A. No, sir.

Q. What was your brother; inspector, or supervisor, or anything?

The WITNESS. Of the election?

Mr. FRYE. Yes.

The WITNESS. No, sir.

Q. Was he an active Republican?—A. Yes, sir.

Q. Was he connected with one of the Republican committees there?—A. Yes, sir—well, no, I don't think he was.

Q. Do you know whether he had been canvassing the county or not?—A. No, sir; he had not.

Q. Do you know whether he had tickets to distribute or not?—A. I do not know that, either.

Q. How far do you live from your brother?—A. About 8 miles.

By Mr. CAMERON:

Q. What trouble had occurred at Spencer's Mill?—A. I do not know.

Q. Did you learn after you went there?—A. No, sir; I did not.

Q. The parties whom you encountered on the road stated there was trouble at Spencer's Mill?—A. Yes, sir; that was all I heard about it. They said there was trouble there, but I never asked them what it was.

Q. Have you ascertained since whether or not any trouble occurred there?—A. Well, I think there was a little trouble there, but I do not know what it was.

WILLIAM P. WARE sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. In Hazlehurst.

Q. In the village?—A. Yes, sir.

Q. What is your business?—A. I am merchandising.

Q. What are you, politically?—A. I am a Democrat.

Q. Pretty active in politics?—A. I have not been for the last two years.

Q. Have you heretofore been?—A. I cannot say that I have. I have worked for the party, but I never have asked for any position, and never wanted any office.

Q. But you have worked for the party?—A. Yes, sir.

Q. Did you in the last election work for the party?—A. I did not.

Q. Did you work for any party?—A. I did not. Well, I say that I did not; I voted the Democratic ticket, with the exception of one man on it, and that man I scratched. I will give my reasons for doing so. Owing to some resolutions that were passed by the club in Hazlehurst, the Democratic club that was organized, I refused to join them.

Q. You refused to join the club on account of some resolutions?—A. Yes, sir.

Q. Which man did you scratch?—A. I scratched the chancery clerk.

Q. Who was he?—A. Mr. G. F. Wolfe.

Q. Did you have any conversation with Dr. Jones; you know him, do you?—A. Yes, sir.

Q. Is he a Democrat?—A. Yes, sir.

Q. Did you have any conversation with him in relation to this crowd of armed men coming to town?

The WITNESS. At what time?

Mr. FRYE. Before the election, when they came to town on Monday.

The WITNESS. I believe I did. Dr. Jones sometime during the day, I think at perhaps 11 o'clock in the morning, came in the store (it was probably later than that), and he seemed to be somewhat excited and said that he wanted to see me. I went into a back room and he told me that that crowd, I don't remember whether he said they came in to kill Print Matthews or not, but he said that they had passed some resolutions on the street somewhere to kill him and wanted him to go with

them, and he asked me as a friend of Mr. Matthews (which he knew that I had been outside of politics; we were personal friends), he asked me to try and send Mr. Matthews word or see him in some way and let him know what was going on.

Q. Did you see this crowd go down to the bridge and disband; the mob?—A. According to Dr. Jones's request I went to Mr. Matthews's store; he was not there and I called Mr. Leon Matthews and told him what Dr. Jones had said, and told him I thought he had better leave.

By the CHAIRMAN:

Q. When was that?—A. That was on Monday, the day before the election.

Q. Won't you repeat again what you told the brother Leon exactly?—A. I told Leon Matthews that Dr. Jones told me there was a resolution passed upon the streets somewhere, that is, that that crowd that came in had passed a resolution to kill Print Matthews that day.

By Mr. FRYE:

Q. Now did you see this mob disband down near the bridge?—A. Yes, sir. Soon after I returned from Mr. Matthews's store, or the depot rather, fronting Mr. Matthews's store where I met Leon Matthews, I saw I don't know how many, but I suppose thirty or forty, out in the street in front of the store; that is, between the store and the bridge which is only a short distance from the store; and they remarked, some of them, that they had backed down; "We knew that you would not do it after you had promised to do it."

Q. Were they cursing each other somewhat for cowardice?—A. I think so.

Q. For not having killed Matthews according to the agreement?—A. They did not say that. They said that they knew they would back out and that they were a set of damned cowards; I believe those are the words.

Q. Did you hear the mob in the store—were they in your store?—A. Yes, sir.

Q. How many?—A. The store is a very long one, something over 200 feet long, and there are four doors on the front street, the street that this crowd of armed men marched down. They dismounted and some held the horses of the others while they went in, some wanting water and some wanting whisky, and they were talking, and I do not remember what all they were saying, but I think a great many of them were intoxicated.

Q. Did you hear them say they were going to carry that election or kill the whole damned crowd of Independents or Republicans or niggers, or anything of that kind?—A. I heard some of that crowd say something about it. I asked some of them what they were doing, what all that meant, and they said they were going to carry the election or kill every damned nigger and Independent in beat 3.

Q. Have you had any talk with Mr. Meade, the chairman of the Democratic committee, since Mr. Matthews's death?—A. Yes, sir. I was placed in rather an awkward position soon after the killing; in fact, a short time before. My wife was a niece of Mrs. Matthews, and soon after the killing, Mrs. Matthews or some of the Matthews family sent for me to come there immediately. They had moved Mr. Matthews from the store to the house, and some of the family had not got there. The old gentleman was half a mile off, and some of the Matthews family requested me, asked me, why they had killed Mr. Matthews, and I told

them I didn't know that; that I had made some inquiries and they seemed to saddle the whole thing on the Democratic party. I told them I was satisfied that there were some Democrats that did not indorse that conduct, and, in fact, I thought a great many; that matters had gotten into the hands of these roughs and it was impossible to control it I thought, but I would find out why they had killed him and let them know; and some of Mr. Matthews's sisters requested me to let them know immediately. I went to the polls where Mr. Matthews was killed, and I met Mr. Coxwell and Mr. Hamilton and Mr. Bankston, the three managers of the election. I asked why he was killed—why Mr. Matthews was killed. I told them my reason for asking was that some of his sisters had requested me to go there and find out; and they all stated and made about the same statement, that they did not know anything about it; that Matthews and Wheeler had a conversation, or were talking, and laughing and talking, when they opened the polls, and Mr. Matthews turned and said, "Well, boys, I believe I will vote and go home; my wife (or my daughter) is sick, and these people requested me not to stay on the street," or something of that kind. And he turned, with his ticket open in his hand, and handed it to Mr. Coxwell, and Mr. Coxwell said, "I cannot take that ticket that way; you will have to fold it." And he took the ticket in this position [indicating] and folded it and handed it to him with both hands. And Mr. Coxwell said just as he presented the ticket the gun fired and the doors were closed. As they were making that statement there was a crowd of boys (I did not consider them Democrats or anything, I considered them outlaws), I do not know how many, crowded in the door and told these people not to be telling anything about that killing; if they did they would go the same way.

Q. Did you at any time see Mr. Meade, the chairman of the Democratic committee, and have a talk with him?—A. I went and saw Mr. Meade—met him and others on the bridge which was not far from Mr. Matthews's house and between the store I kept, and the store on the opposite side of the bridge where Mr. Matthews was killed.

Q. Did you ask Meade why that cannon was fired after Mr. Matthews was killed?—A. I did not ask him there. I attempted to talk to Mr. Meade, and he seemed to be excited, and he had a gun, and a good many others with him had guns. They were talking about negroes; and I then passed them, and afterwards went back and found him alone and asked him why this cannon was fired.

Q. What did he say?—A. He told me there was an understanding that if Mr. Matthews was killed they were to fire the cannon.

Q. As a signal?—A. Yes, sir.

Q. That it was not fired in the rejoicing over Matthews's death, but as a signal?—A. Yes, sir. Mrs. Millsaps, the wife of the minister, requested me to go and see him; she said that Mrs. Print Matthews was suffering from heart disease and liable to die at any moment, and asked me to go and get them not to fire the cannon any more, and find out why it was fired. Mr. Meade told me that they had promised some club or somebody that if Mr. Matthews was killed they would fire the cannon; that they were not rejoicing. After the next day Mr. Meade came to me and we had anothe conversation about it. He said that he wanted to say in regard to the firing of the cannon that it was an understanding that in case there was any disturbance they were to fire the cannon. The first day he told me that if Mr. Matthews was killed they were to fire the cannon; the second day he told me if there was any disturbance they were to fire the cannon.

Q. Did you hear that any man went to the sheriff, Hargrave, prior to the election, and prior to the killing of Matthews, and informed him that Matthews was to be killed, that a resolution had been passed to that effect?—A. I heard something of that kind; I do not remember what it was exactly; I do not remember the words.

Q. That a man had been selected to do it—anything of that kind?—A. No, sir; not that a man had been selected.

Q. Or called upon Hargrave to stop it?—A. I heard from some one that they were going to kill; that some one had went to Hargrave in the name of the Democratic party to stop it; that they were going to kill him, and that Hargrave said it was out of his power, or he could not do it, or something of that kind.

Q. That he could not stop it?—A. I paid no attention to the report from the fact that the night before, on Sunday night, he wrote to me—no, on Monday night, the night before the election—he sent a little boy to my house, some time after night, for me to come to his house immediately. I went, and he told me that the sheriff had promised him protection if he would stay there and not leave the town. I advised him to go, and I thought I knew that crowd would kill him.

By the CHAIRMAN:

Q. You are speaking of Print Matthews?—A. Yes, sir; I knew that that crowd would kill him. He said that he had been raised with the sheriff, and the sheriff had guaranteed him protection if he would stay there. I told him I would go as far as Gallman or Martinsville with him in a buggy (a station above and below) and have the conductor stop there so that he could get away from there. He showed me a note or read it to me (I did not see the note) from the sheriff stating that he would see that he was protected and not to leave home.

By Mr. FRYE:

Q. After Mr. Matthews's death you were up there at the house, were you not?—A. Yes, sir.

Q. Did the crowd come up there?

The WITNESS. What kind of a crowd?

Mr. FRYE. Well, this mob, and hallo and talk and joke?

The WITNESS. This mob started there several times. During the day I went out and called on Mr. Dodds, who is here, and several other gentlemen who have been taking an active part, I might say, in politics, as Democrats. I called on them for the sake of the family or the ladies of Mr. Matthews's family not to permit that mob to go to the house. They were going there when Mr. Matthews was a corpse. I met no one except those who had been going around with the mob who was in favor of going. Some insisted on going, however, and wanted to give the other members of the family 24 hours' or 12 hours' notice, or something of that kind, to leave the county.

Q. And you appealed to those Democrats, Mr. Dodds amongst the others, to stop it if they could?—A. Yes, sir. The Democrats then made their pledges to me as Mr. Matthews's friend, and Mrs. Matthews made promises to me as my friend and their friend. It was with some difficulty that we could get the mob to disperse. They were around the next day for some time.

Q. One night while Mr. Matthews' body was lying there in the house and you were up there, did not a crowd of these fellows come there to the house and use all kinds of vile language, insulting language, and did you not go to Mr. Hargrave and ask him to stop any such proceedings?—

A. Yes, sir; I went to Mr. Hargrave and asked him to stop it, and he said he was powerless, and asked me to mention some way in which he could put a stop to it. I told him to summons men and arrest these parties who were on the street. He asked me to give him the names of some of the men, which I did. I gave him the names of the best citizens of Hazlehurst; men that I knew were opposed to this rioting.

Q. Well, were there not enough well-disposed Democrats, good citizens in that section of that county, upon whom that sheriff could have called as a *posse comitatus* to disperse this mob?—A. Easy enough. I think that with five men I could have dispersed the mob myself without any trouble.

Q. You do not understand that a majority of the Democrats of Hazlehurst and Copiah County were inciting this mob to commit murder, do you?—A. No, sir; I remarked to the gentlemen I am connected with in business, Messrs. Harris & Dodds, both lawyers, I remarked to them at the time this new executive committee was elected, that we would have trouble in the county; that they were not made of the right kind of material for an executive committee. I believe there were some good men on it, but the majority of them were the other way; they were not law-abiding, and were in favor of anything to carry an election. When this mob was first organized I do not believe there were more than fifty men who were in favor of it; but it kept growing and growing until it was almost impossible for a man to remain on neutral ground in Copiah County.

Q. When that mob was first started was it not in the power of the sheriff to have summoned good men, Democrats and white men, enough to have stopped it on the spot?—A. I think it was. I do not think the sheriff was inclined to stop it. I do not think he wanted Mr. Matthews killed or anything of that kind, but I was satisfied he was one of the organizers of that mob, and I so told him myself.

Q. How about the chairman of the Democratic committee; could he not have stopped it?—A. The chairman was, I think, another of the men who helped organize it.

Q. Do you know whether or not this mob were calling freely at the house of the sheriff—members of it, I mean?—A. Only from hearsay. I saw them there on the day that that mob came in. I saw twenty-five of them, I suppose, in his house.

By the CHAIRMAN:

Q. In Hazlehurst who elects the city marshal? There is such an officer, is there?—A. Yes, sir.

Q. Was this murderer chosen city marshal of the town after the murder?—A. Yes, sir; he was.

Q. Who chooses him?—A. The board of aldermen and mayor.

Q. I would like to know who they are; who is the mayor?—A. My recollection is, J. R. Groome.

Q. Is he a Democrat?—A. Yes, sir.

Q. What is his business?—A. He has no business outside——

Q. Outside of being a Democrat?—A. No; outside of the office of mayor that he holds.

Q. Now, give me the names of some of the aldermen; how many are there?—A. Four.

Q. Is Mr. J. M. Norman one?—A. Yes, sir.

Q. Is he a Democrat?—A. He claims to be.

Q. Was he formerly the chancery clerk?—A. Yes, sir.

Q. Is he now chancery clerk?—A. No, sir.

Q. He was chosen by the Democrats?—A. Yes, sir.
Q. Is Mr. I. N. Ellis one?—A. Yes, sir.
Q. Is he a Democrat?—A. Yes, sir.
Q. What is his business?—A. He is cashier of the Merchants and Planters' Bank.
Q. Where is that bank situated?—A. In Hazlehurst.
Q. Mr. D. S. Burch, is he another?—A. Yes, sir.
Q. What is his occupation?—A. He is a school-teacher.
Q. Is he the county superintendent of education?—A. He was appointed after this election.
Q. By whom was he appointed; the governor of the State, wasn't he?—A. Yes, sir; the governor of the State.
Q. And you say he is a school-teacher?—A. Yes, sir.
Q. In a public school?—A. In a private school. He had charge of the public school last year, but has a private school this year.
Q. And has been appointed by the governor of Mississippi superintendent of education for the county?—A. Yes, sir.
Q. Is the other member of the board of aldermen Mr. G. D. Lowe?—A. Yes, sir.
Q. Is he justice of the peace?—A. Yes, sir.
Q. Who elects him justice of the peace?—A. The people of beat 1—the voters of beat 1.
Q. Is he a Democrat?—A. He claims to be.
Q. How long has he been justice of the peace?—A. I think about two years.
Q. Then these gentlemen, the mayor of the city, the former chancery clerk, the cashier of the Merchants' and Planters' Bank of the town, the present superintendent of education, and Mr. Lowe, the Democratic justice of the peace, have united since this murder to decorate Mr. Wheeler with the office of city marshal, have they?—A. Yes, sir; but I will say in regard to Mr. Crump, that I believe he was opposed to it.

By Mr. CAMERON:

Q. But a majority of the board elected him?—A. Yes, sir; it required a majority to elect.
Q. When was he elected or appointed, as nearly as you can remember?—A. I think it was about the first of December.

By Mr. JONAS:

Q. Do you know what the vote was in the council on the election of Wheeler?—A. No, sir; I do not.
Q. He was not elected by a unanimous vote?—A. No, sir. I know Mr. Crump was opposed to him, for I talked with him, but he was the only one; I did talk with him about it.
Q. You said some time ago that you heard from some one that some one had gone to Hargrave and said that Matthews would be killed that day, whereupon you went to warn him?—A. Yes, sir.
Q. Who was that some one that you heard that from?—A. I am not prepared to say just now.
Q. Was it a mere rumor, or some one just told you so?—A. Well, I did not know. It is a question that I would not like to answer. I would not like to give the name of the party who told me.

J. T. DAMERON sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. In Jackson, Miss.
Q. Did you come from Jackson here?—A. Yes, sir.

Q. What is your business?—A. I have been merchandising there; I am in no business there now; I sold out in December, I believe.

Q. Are you a land owner?—A. Yes, sir.

Q. Have you been a farmer part of the time?—A. I have.

Q. Do you know Ras. Wheeler?—A. I know a man who calls himself Ras. Wheeler.

Q. Who lives in Hazlehurst?—A. Yes, sir.

Q. Did you at any time see Ras. Wheeler in company with certain other Democrats since the election?—A. I saw him in a street car on the 13th or 14th of this month of February, I believe.

By Mr. JONAS:

Q. A street car—where?—A. In Jackson.

By Mr. FRYE:

Q. Who was in the car with him conversing with him?—A. There were a good many on the car.

Q. I mean conversing with him.—A. There was no one conversing with him particularly; he was talking himself, but no one conversing with him.

Q. Do you remember what he said?—A. Yes, sir; I remember pretty well what he said.

Q. State it, please.—A. What he said was so disconnected that it is a hard matter to repeat it as he said it.

Q. Give the substance of it.—A. I remember the first thing that called my attention to it was that he said, "Yes, old Hoar is coming down here with a committee." That is the first thing that I heard that attracted my attention; and he says, "And if I get a crack at him I will kill him too." That is the first thing I heard him say or noticed him saying. And he says, "I killed Print Matthews." He says, "I told him not to vote, and he did it, and I killed him." Now, between the times that he said these things there were stoppages, he would stop; and he also said that "It was not me that killed him, it was the party; if I had not been a Democrat I would not have killed him." He says repeatedly, "I told him not to vote, and he voted, and I killed him."

Q. But it was not he but the Democratic party?—A. "It was not me but the Democratic party; and now, if the party is a mind to throw me off," he says, "damn such a party." He reached over and touched a young gentleman who was sitting by me; I do not know his name; he is a stranger there in the town; and he touched him on the hand and told him, "I am the man that did the dirty work." This gentleman did not seem to know what he meant, and he says, "My name is Wheeler."

Q. Did you hear anything said about casting lots?—A. Nothing said about casting lots, but he said, "It was my lot." There was nothing about casting lots, however. I heard him say, "It was my lot."

Q. He had been drinking, had he not?—A. He seemed to me to have been drinking; I could not account for it in any other way, his talking in that way.

Q. What time in the day was this?—A. It was a little after four o'clock. I remember distinctly, because he hurried up the car-driver, and told him he wanted to get to the hotel to dinner.

By Mr. JONAS:

Q. Who else was in the street-car that you knew?—A. There were three persons in there whom I knew. There was one, a negro woman, by the name of Amy. She got in just while he was talking; he was talking when she got in. There was another man who came in just as

the car was starting off, by the name of Elbert Merrill. He is a tinner there in Jackson.

Q. Who was the other one?—A. There was another man on there by the name of Jake Heckle, the steward at the Edwards House there.

Q. Did those people know Wheeler?—A. I don't know whether they did or not. No one seemed to take any notice of what he said at all—that is, no one spoke to him or encouraged him to talk, or said anything to him at all.

Q. He was not talking to you, was he?—A. No, sir; he did not seem to be talking to any one in particular, only to this young man once when he reached over and touched him on the hand, and motioned that way, and lay over and told him he was the man.

Q. Did he know you or recognize you?—A. No, sir; of course not. I did not know him personally, only from what he said.

Q. You do not know, then, except from his own statement, who he was?—A. No, sir.

Q. I understood, at the beginning, that you knew him?—A. No, sir; I say I only knew from his own statement about it.

By the CHAIRMAN:

Q. Was he speaking in an ordinary tone of voice or a low tone?—A. He seemed to be sort of soliloquizing, like a man talking in his cups.

Q. I mean as to whether he spoke loud or low?—A. He spoke in a low tone; he was just opposite me. When I went in he was sitting down near the end of the car and I sat down by him. It was raining very hard and the car was consequently very much crowded, and when the car became crowded on my side he got up and moved on the other side opposite to me, in the opposite corner of the car from me. There were other gentlemen in there, I think some members of the legislature, but I could not state who they were.

By Mr. FRYE:

Q. Are you a Republican?—A. No, sir.

Q. What has been your politics?—A. I was a Democrat up to 1879, since then I have been in with the Independent party; I was one of the first Greenbackers of Hinds County.

Q. Since then you have been an Independent?—A. Yes, sir.

By Mr. CAMERON:

Q. What kind of an appearing man was this man who said his name was Wheeler?—A. He was a rather tall, lean man, dark complexion, dark hair and eyes, with a rather small lower face, prominent cheek bones, a good big head; I think rather a large head for the size of the lower face.

By the CHAIRMAN:

Q. Middle-aged or young?—A. You could hardly tell much about his age. He seemed to be a man of thirty-five or forty; he looked to me to be that—thirty-five at least.

DANIEL C. WRIGHT, Jr., sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Hazlehurst, Miss.

Q. In the village?—A. Yes, sir.

Q. What is your voting precinct?—A. Hazlehurst, if I vote.

Q. Where were you on election day?—A. I was at Martinsville.

Q. Is that a voting precinct?—A. Yes, sir.

Q. Were you there while the election was going on?—A. Yes, sir.

Q. Did you hear the news delivered there of the death of Matthews?—A. Yes, sir.

Q. Do you know how the news came?—A. It was brought down to Martinsville by a man who had to go to Hazlehurst to have his register checked.

Q. Was it communicated to the crowd?—A. Yes, sir.

Q. What proposition, if any, was made?—A. I did not stay to hear any proposition that was made.

Q. Didn't you hear a proposition made for a salute.—A. No, sir.

Q. Was there any demonstration of any kind?—A. Yes, sir.

Q. What was it?—A. The demonstration was bulldozing.

Q. What did the bulldozers do?—A. They took away tickets and tore them up and ran negroes off, and ran one negro off that brought tickets there—a stranger. They claimed that he was from Mr. Matthews' place and had brought Independent tickets there, and they run him off. He was struck——

Q. Any armed men there?—A. No, sir; I did not see any armed.

Q. You saw them run him off?—A. Yes, sir. He was struck by one man there and then chased by about twenty-five white men.

Q. All Democrats?—A. Yes, sir; they claimed to be.

Q. Did you see a man named Monroe Martin there?—A. Yes, sir.

Q. Is he a leading Democrat?—A. He was up to the last election. He was very quiet at the last election.

Q. Didn't Monroe Martin tell those Democrats that if they undertook to fire any salutes over the killing of Print Matthews that he would kill the first man who did it?—A. That was after I left. A Democrat told me that that was what he said after I left, after the votes had been counted. I did not hear Monroe Martin say it.

Q. But a Democrat told you that the proposition was made to fire a salute?—A. Yes, sir.

Q. What Democrat was that who told you that?—A. R. J. Ellington.

Q. And that this other one told them that it should not be done?—A. Yes, sir; that he would not stand it. That is what Ellington told me; not what I saw. He told me that since the election.

Q. Were you at Hazlehurst subsequent to the election, on Thursday?—A. On Thursday after the election; yes, sir.

Q. Did you see any armed men around there then?—A. Yes, sir.

Q. Do you know whether or not they were hunting Burnet?—A. I could not say whether they were or not.

Q. Where were they?—A. They were parading the streets.

Q. Did you see any near the depot about the time the train was due?—A. Yes, sir; I saw a good many near the depot.

Q. Armed?—A. Yes, sir; enough to scare me mighty bad.

Q. Do you know whether or not that was the night they expected Burnet back?—A. That was the night Burnet was to come back. I was to meet him at the train and I was down there. Burnet did not come. It was on Friday night though, I think, instead of Thursday night.

Q. How many of these men did you see there with guns around the depot?—A. There was a good big crowd of them at the depot and around the hotel corner, and an almighty crowd up the street. I did not go around with them any to see who they were or how many there were.

Q. When you say "Burnet," you mean A. W. Burnet, who sits here?—A. Yes, sir.

Q. He did not come that night on that train?—A. No, sir.

Q. How long were you up at Martinsville that day?—A. I was there from about 8 o'clock until 1 or half-past 12.

Q. Did you see many colored men vote?—A. I saw twenty-five, I guess, or more.

Q. Did you see any after they run off one?

The WITNESS. Who—colored men?

Mr. FRYE. Yes.

A. Yes, sir; I can't tell you how they voted though. I heard them telling them it was a white man's country, and white men were going to rule it; but if they wanted to vote the Democratic ticket to walk in.

Q. Didn't they invite them to come in if they wanted to vote the Republican ticket?—A. They did not mention it at all. It was not Republican that day at all; it was a white man's country and a white man's rule.

Q. You were in Hazlehurst on Monday before the election?—A. Yes, sir.

WALLACE GILMORE (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live at Jesse Thompson's, the old man's.

Q. What beat is it, do you know?—A. Beat 1, eleven miles from Hazlehurst.

Q. Isn't it beat 3?—A. They call it beat 1; I votes there at Spencer's box.

Q. That is beat 3. Did anybody call on you the night before election?—A. Yes, sir.

Q. Who?—A. I don't know how many men there was; I couldn't hardly tell. There came nine in the house.

Q. Were they armed?—A. Yes, sir.

Q. What time of night?—A. About two or three hours in the night, as near as I can come at it.

Q. Had you been asleep?—A. Yes, sir.

Q. What did they do?—A. They just came right on in and never waited for me to open the door or nothing.

Q. Did they break the door in?—A. Yes, sir; and came in, nine of them, with their guns, and double-barreled guns and pistols. Every one that came in had a double-barreled gun and a pistol, what you all call these breech-loaders, and it frightened my wife.

Q. Didn't they frighten you?—A. Yes, sir; they frightened me, too, but they frightened her a heap worse than they did me. It seemed like I didn't like them, either. One of them says, "You hush, old lady, we ain't after you; we wants to find out about this uncle to-night, what he is going to vote to-morrow." I looked around and wondered, and said, "My God Almighty, that is something that I never did see before, that many men coming after one little man." And out of doors there was about—oh, there was about fifteen right at the door, besides that nine that came in, and all around in front at the fence. The fence was about twenty-five yards from the door. One of them says, "Old man, we came to-night to find out what you are going to vote." I waited there a good while, and then I told them if they was not going to do anything but talk, and I could lay here and listen at it, and hear it as good as by get-

ting up. And he says, "No, sir" (I am going to tell the gentlemen just like it was); "No, sir; by God, you can't lay down there; you must get up." And he cotched me by my hand and jerked me up. I said, "Gentlemen, go away; what has I done; I ain't done nothing to nobody. God Almighty has come here to-night for destruction." They were standing right here all around and I didn't know what to do, and he says, "Old man, I want you to tell me what you are going to vote." I said, "Gentlemen, I can't tell you that." "Well, what have you been a voting?" I says, "I have been always voting—if it was not that, it was my intention—a Radical ticket; that was my intention, for it to be a Radical ticket and nothing else; if it was wrong it was not my intention." And he says, "Well, I want you to 'stinctly understand"—no, I will go to the root of it. He says, "You must go out of doors." I said, "What do you want me to go out of doors for?" Says he, "Never mind, by God, what we want you to go out of doors for." I said, "I don't like that;" and they got behind me and pushed me. I was a little sort of mulish and didn't care to be got out in that way. I said, "Gentlemen, let me alone, and I will go out of doors when I get ready," and I pushed the door that way [indicating]—like that gentleman sitting there was the door—and I pushed it that way, I did, and it slammed back, too. And this time some of them that was out of doors saw the door open, and one of them reached in his hand and said, "By God, you come out of here," and pulled me on out; and says he, "I want you to tell me now what you going to vote." That was when I gotten out of doors. Says I, "Gentlemen, I can't tell you any more than I has told you." One says, "Stop, stop, by God, let him talk to me; he has got to talk better than that." I say, "Gentlemen, I can't do any more than that. I have done told you that I don't know whether I will vote Independent or not, because I don't think that I can vote anything else; there ain't no way." Then one says, "Well, I want you to recollect and understand; you hear me, sir? If you come to that polls to-morrow, do you make your box and dig your hole before you come; do you hear it?" I says, "Yes, sir." I was there in a tight, and I knowed it. There was lots of men, a hundred of them; there was a whole crowd of them when they were all together; there was a hundred, and I am certain I counted fifteen out of doors and what we had come in the house. I kept my elements and counted; that was all I could do while that many men come to one, and him with nothing; and if I had raised up anything, it would have been no more than a gnat when the wind was blowing heavy. They told me again, "I want you to recollect and understand that this is our country; did you know it?" I says, "No, sir; I thought it, boss." I called them bosses, yes, I did; I called them bosses. Then again (give me time to tell it) he says, "By God, don't stand up and talk to us." I was standing up. "By God, don't stand up and talk to us; by God, don't stand up and talk to us; get down on your knees." I looked all about me and stood there. Then he said, "Get down, by God, get down," and they presented their fire-arms in my face that close [indicating]—their pistols. Well, I got down; yes, sir; I had to do it. Then they went on to talk about this other part of this thing, too. Says he, "Did you know it; that Print Matthews has got this country, and it is just by you niggers voting so strong, and did you know to-morrow he is just a certain killed man—to-morrow?" They said it right at my door. I knows that because I heard it, and God Almighty, if there is any God, and our Saviour who died that we might live, heard it too, and I know it. He said, "To-morrow we are going to kill him; we are going to kill him." He asked me my name and took it on a little piece of paper.

He says, "We are going to kill him to-morrow, and if you votes dat ticket, dat Radical ticket, to-morrow," and they said Independent ticket, "if you votes dat Independent ticket to-morrow, do you dig your hole and make your box before you go." I studied on that. They told me then, "Good bye." It aggravated me, and I said, "Good bye, God damn you;" that is exactly what I said.

Q. Did they leave?—A. They got outside of the yard and shot off a pistol or a gun, one, and some of the forerunners said, "Come, that ain't our way of business; don't be doing that away, don't be shooting; you won't get close enough that away." Talking about the black people didn't run; I know some of them that didn't go in the field; they just quit picking cotton and the hogs ate up a heap of one man's corn, and if he hadn't been out there he would have gathered his corn.

Q. Did you go and vote Monday?—A. No, sir; I didn't go and vote Tuesday. I went up there, but I wouldn't vote.

Q. Why not?—A. Well, cause God Almighty told me, "Don't you do it."

Q. Were the men there with guns?—A. Yes, sir; they were there with guns; the fence-corner was full of them, and they had them up, too; and they said when Mr. Print Matthews was dead some one sent a note down there about it, and two of them read it, and they read it over, and one made it out—it was Mr. Wheeler. And the other was looking over it in such a hurry. "Haste always makes waste," I hear old people say a heap of times, and I judged that away at that time, and the other one looked at it, and he says, "Who is it?" and he says, "Print Matthews," and he says, "Oh, that is all right; Ras. Wheeler killed him." They said that this man who fotched the note was Mr. Wade, Mr. Wade's son; I took it to be him. He was a young man, though.

JUDSON MCNEECE (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. At Hazlehurst.

Q. In the village?—A. Not exactly; about three-quarters of a mile out of the village. It used to be incorporated until it was drew in.

Q. What are your politics?—A. Republican.

Q. Always a Republican?—A. Yes, sir.

Q. Did you, about the middle of September, go anywhere to organize a Republican club?—A. About the middle of September, I don't know exactly what time it was; I disremember what time it was, but it was some time or another I know, but still, at the same time, I myself didn't go to organize the club. I was called on by one of my neighbors who staid there, who told me that there was a man going to make a speech at a certain place, and a club was to be organized at night.

Q. A colored club; a Republican club?—A. Yes, sir. He then insisted on my going with him as he didn't know the way; I told him I hadn't been there altogether, but I thought I knew the precincts of it. So I went on for three miles, and then it came that I didn't know the way. I never had been to the place. But it was some time in the night when we got there; I reckon it was about two and a half hours in the night when we got there. When we got there I saw, I never counted them in particular, but I think there was five or six or seven horses hitched there when I got there; and the gentleman who was to speak there at night, he was not there when we got there, if he was we couldn't find him. I got down and walked into the house, and there was a little lamp lit, and I saw two other colored fellows besides me and

Oliver. And I saw the time looked dull, and I just told them that I didn't suppose there would be any meeting that night, and let us retire and go home if there was nobody there. Then when we came out we concluded to go home, and I was on a kind of a slow mule, and I tarried by the house, I suppose, as near as I can come at it, I think about a quarter or 300 yards or more from the place where they was going to have a meeting, and Oliver had done started back, and had left me there with a crowd of white men that was there, back there at the church at the place where they were going to speak, and Charlie went down to the house and had hitched his horse there, and when we got up there his horse was hitched, you know, and they told Charlie to get on his horse.

Q. Who told him?—A. I couldn't say who it was. It was in the night when I got there.

Q. Were they white men?—A. Yes, sir; it was dark, and I couldn't tell exactly who they were, to tell the truth about it.

Q. I don't care to have their names, but were they white men?—A. Yes, sir; white men. They told him to get his horse and go on home, and Charlie mounted his horse once and started to go on it, and he got down again and he went into the yard, and when he went into the yard I rode on and Charlie called me back to him, and I told him, no, I thought not, that I would go on home. This time, then, he went another way, and I rode on with the men for about two miles, I reckon, and that time took me my distance, and it was time for me to turn out, and I was sort of glad to do it; and they asked me how far did I go, did I go all the way to town? I told them I didn't know exactly; that there was a certain house there that I might stop at. They stopped, and then told me I might go on; they had nothing to say to me. I rode on, then, and I got to my little turn, and when I made the connection home, Charlie was there a few minutes after I got there.

Q. How many of these white men were there?—A. I could not tell for certain, but I took them to be between five or six or seven, as near as I can come at it.

Q. Were they armed?—A. I don't know whether they were armed or not. I think, though, one of them had a pistol so Charlie said at the time they told him to mount his horse, but I was a good piece from him then, but Charlie claimed to me that they had a pistol, but if they had any arms they kept them concealed from me. I never saw them have any guns, for I rode along in the road with two of them behind and the others were in front of me.

Q. Was that the church that was burned the next night?—A. No, sir; this was a school-house.

Q. Was the school-house burned afterwards?—A. It has been burned, I reckon, now about a couple of weeks, as near as I can think of it. The church was burned up shortly after that meeting was. The church was about two miles, as near as I can come at it—about two and a half miles further, what was burned up.

By Mr. SAULSBURY:

Q. Were you pastor at that church?—A. I had been the year before that.

Q. They had turned you off as pastor, then?—A. Yes, sir; at that time.

Q. Hadn't they a general row over it—about turning you off?—A. Yes, sir.

Q. Some of the colored people were opposed to it and others in favor of turning you off?—A. Yes, sir; that is so.

Q. Isn't it true that the man who didn't want you turned off burned that church?—A. No, sir.

Q. Have you not heard that?—A. No, sir. I never heard nothing about it no way. Oh, no; I never heard a word about that.

Q. Did not the negroes say it was burned by negroes?—A. I never heard any one say so. Some of them might have said so, but I ain't heard it.

Q. There was a considerable muss or quarrel about their turning you off, wasn't there?—A. Yes, sir; but that had been some time before that; the meeting had been going on a year nearly.

By the CHAIRMAN:

Q. You say you had been turned off a year before that?—A. Yes, sir; about a year, I reckon, lacking a month and a half.

Q. Were they all peaceable then?—A. Yes, sir; they had done got peaceable about it at that time.

W. G. MILLSAPS sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. I have been living at Hazlehurst, Copiah County, for the last two years.

Q. Where were you born?—A. In Copiah County.

Q. Where have you lived through your life?—A. I have been twenty-eight years in the Mississippi conference, sometimes in one portion of the State and then another, but always in the State of Mississippi.

Q. Are you a Methodist clergyman?—A. Yes, sir.

Q. Are you preaching now at Hazlehurst?—A. I have a supernumerary relation for the present here on account of my health. I have been twenty-eight years a member of the conference. That is, I have no work at present.

Q. What did you see of the mob in Hazlehurst, the mounted and armed mob?—A. Well, sir, on Monday I heard a great noise, a whooping and cheering, about three-quarters of a mile west of Hazlehurst. I was in the parsonage. I went up-stairs and listened, and I suppose they remained there about an hour. I thought perhaps it might be speaking down there. After an hour had transpired I saw, I suppose, 150 men coming up the street, and they were all armed.

Q. What with?—A. Guns and pistols.

Q. Were they mounted?—A. Yes, sir; and on horses. They came up from the west, and they stopped awhile at Mr. Subat's, which is just across from the parsonage, and they had a band, and they went around the square brandishing their pistols, and Mr. Meade, the chairman of the Democratic committee, was at the head of them on a horse, and Mr. Jesse Thompson was acting, as I thought, as a kind of marshal, riding up and down, and I suppose in ten or fifteen minutes they went around the square and came back again, and went on then opposite the court-house, and such was the excitement I felt alarmed, that is, I thought there was danger. I heard some one speaking then from the court-house. I didn't go near enough to hear, but they stopped there for some time. That was on Monday evening. I suppose they dispersed about an hour by the sun. That is what I saw of the mob. I heard Mr. Matthews's name called. They seemed to be excited, and I saw the sheriff ride down there and then come back, and I saw when they came into town Mr. Meade at the head of the procession. As well as I could judge there

were about 150 men armed with shotguns and some with pistols and some had nothing.

Q. Had you heard of their being around in the country firing, beating, and murdering before this?—A. Yes, sir; I had heard of that.

Q. For how long a time had these rumors been current in town?—A. I suppose about ten days. I heard of the killing of a colored man by the name of Wallis, and several of the old servants I used to own came to me and complained and said they were driven off from their homes and houses, and one man in particular, his wife said that he had been shot in the shoulder. I heard all these rumors constantly from that time out.

Q. Were you present when Mr. Barksdale addressed this crowd?—A. On Monday evening I was standing there, but I could not understand what was said; but I understood him to say that he would speak that night, and I went to the room in the court-house.

Q. Was this crowd of armed men there?—A. There was a crowd there, but they were not armed in the court-house.

Q. It was in a building, was it?—A. Yes, sir; it was in the court-house.

Q. Did you hear the whole of Mr. Barksdale's speech?—A. Yes, sir.

Q. Did you in the course of that speech hear him say anything about hanging Frank Bufkin so high that the birds of prey could not put their beaks into him?—A. I heard that expression used in regard to him, but I could not say the exact words, but something to that effect.

Q. You heard Mr. Barksdale say something to that effect?—A. Yes, sir.

Q. Did you hear him say anything like this: "Fellow citizens, I must compliment you on your patriotism. I saw a fixed determination in the faces of these armed men who paraded the street this evening—a determination to carry this election; and I say to you carry it whatever the issue may be"?—A. Well, sir, I would not say that he said "whatever the issue may be"; but the previous part, I remember his saying that. I could not say he used the words.

Q. "Fellow-citizens, I must compliment you on your patriotism." He said that, didn't he?—A. Yes, sir.

Q. "I saw a fixed determination in the faces of these armed men who paraded the street this morning"?—A. Not "this morning," but "this evening." I would not say "armed men." He said, "I see fixed determination in your faces this evening."

Q. "To carry this election"?—A. Yes, sir.

Q. The armed men had marched up there and he had seen them, had he not?—A. He had addressed them about an hour before sundown Monday evening before the election, but I could not understand what was said. There was a great deal of cheering, and I went there that night because I looked upon Major Barksdale as being a man of integrity and proper feeling, and I felt disappointed that he did not take the opportunity to rather allay the feeling that had been evident.

Q. In the course of his speech did he say anything calculated to allay the excitement and prevent the troubles?—A. I think not; not a word.

Q. On the contrary, were his words calculated to excite this armed mob to further acts of violence?—A. That was my decided impression. I voted for him, not thinking he was a radical man in his views.

Q. After hearing that speech, could you again vote for him to represent your district in Congress?—A. No, sir; I could not.

Q. Were your opinions changed by his language in that speech to this excited crowd?—A. Yes, sir.

Q. How long have you known Print Matthews?—A. Ever since he was a boy.

Q. Have you known him well?—A. Yes, sir; I went to school with him, and then he went to school to me. His father and my father lived within two miles of each other.

Q. What was the character of Print Matthews?—A. He was a very pleasant, peaceable, quiet, good man. I can say sincerely that he was as good a man as was in Hazlehurst, leaving out all idea of religion.

Q. Was he a charitable man?—A. Yes, sir; very much so.

Q. Was he generous and social in his disposition?—A. I always found him so, even when a boy.

Q. Was his house an open house for company?—A. Yes, sir; very much so.

Q. Was it his habit to assist the several churches of the city?—A. Yes, sir; he gave $100 to the Catholic church.

Q. Was he a friend to the schools?—A. Yes, sir; very much interested in them.

Q. So long as you have known him through his life has he been quarrelsome or troublesome in any way?—A. I never have known him so to be. I think he was rather passive. I will state this, that I did not live near Hazlehurst for four or five years when the canvass was going on, but as a man I believed him to be a very passive, quiet man. He was a brave man, but I do not think aggressive at all.

Q. Did you hear him make a speech in this campaign?—A. I heard some remarks at the court-house.

Q. Was it the first time that he spoke?—A. Yes, sir.

Q. Was it the speech of which the Democratic paper complained that it was incendiary?—A. Yes, sir; the paper at Brandon.

Q. Was there anything in that speech which justified the charge that it was incendiary?

The WITNESS. In what sense do you mean incendiary?

Mr. FRYE. That it was stirring up the negroes to kill white men?

The WITNESS. Not at all.

Q. Was there anything in the speech calculated to arouse the negroes to avenge themselves on white men?—A. No, sir.

Q. Have you been a slaveholder?—A. Yes, sir.

Q. How many slaves did you formerly own?—A. About sixty.

Q. Are you well acquainted with the negro character?—A. Yes, sir; I think I am. I have lived with them all my life.

Q. Do you know the colored people in Copiah County?—A. Yes, sir; I know a great many.

Q. In your opinion, is there a white Democrat in Copiah County who believes that there is any danger of a negro insurrection?—A. If you ask my opinion, I will tell you that I do not believe they do.

Q. Is not the idea absurd that those negroes will rise against white men?—A. That is my idea decidedly. I think there is no danger whatever of it.

Q. Suppose a dozen white men, mounted and armed with guns, should ride through Copiah County and notify the negroes to leave their houses and take to the woods, in your opinion what proportion of the negroes would leave their houses and take to the woods?—A. I think they all would.

Q. In other words, are they not a timid, docile race of people?—A. That is my judgment.

Q. Showing the effects upon themselves and their fathers of having been held in slavery?—A. Yes, sir. They call you master and take off

their hat, and never keep it on when they come in the houuse, not when they have got business.

Q. Did you read Mr. Matthews's speech printed in the Copiah Democratic paper?—A. I do not remember that I did.

Q. You saw it there printed in the paper, did you?—A. Yes, sir. I do not remember at this time the substance of what it was. I remember his reply.

Q. Were you in Hazlehurst the day that Mr. Matthews was killed?—A. I was.

Q. How shortly after his death did you learn of it?—A. I do not suppose it was more than five minutes. There came a young man up from the depot and told me he was shot.

Q. Did you purpose to go to the house?—A. I went, and my wife started to follow me, and I told her to wait until I went down there. When I got to the hotel somebody remarked, "He never kicked." I went on and found him lying with his boots and clothes on, and a stream of blood on his face, before he was cold.

Q. Did any one undertake to dissuade you from going to the house?—A. I heard remarks there that there was a dead line drawn at the bridge there, and I told them that I was of not much account; that I was going down there; that he was a friend of mine; and they said of course as a minister they had no objection.

Q. But they said there was a dead line down there at the bridge; was that between where you were and Mr. Matthews's house?—A. Yes, sir.

Q. Did you see Mr. Wheeler, the man who killed him, that day?—A. Yes, sir. I saw him sitting at Mr. Subat's store or grocery. He had closed.

Q. Whom was he with?—A. Mr. Meade.

Q. The chairman of the Democratic committee?—A. Yes, sir. They were both sitting there, each with a double-barreled gun in their laps.

Q. How long was that after Mr. Matthews was killed?—A. About twenty minutes.

Q. Was the excitement in Hazlehurst intense that day?—A. Yes, sir; very much so.

Q. Did the mob gather in there that day after Mr. Matthews was killed?—A. Yes, sir; there came a company from Crystal Springs; I heard the cannon fire—I did not know for what purpose; but, I suppose about 12 or 1 o'clock, a company came in from Crystal Springs and some from Beauregard, and some from Wesson, until the whole town seemed to me to be a military camp.

Q. I take it that none of the soldiers were colored men?—A. Not one that I saw.

Q. Did you see any Independents with muskets on their shoulders?—A. No, sir; I never saw one with a musket.

Q. Did you see any before the election with muskets?—A. No, sir; I did not. I will state here while I am going on, that I had no interest in the election. Mr. Matthews never said a word to me, and I had no concern about voting. I did vote the Democratic ticket about 5 o'clock that evening.

By Mr. JONAS:

Q. Who was it that told you about the dead line at the bridge?—A. The present superintendent of education of that county.

Q. What is his name?—A. D. S. Burch.

Q. You say you voted the Democratic ticket about 5 o'clock in the

afternoon?—A. I voted that ticket. They were both called Democratic tickets, and I never paid much attention to the matter.

Q. Which one did you vote?—A. I voted what they called the Democratic ticket.

By Mr. FRYE:

Q. The Bourbon ticket?—A. I did not understand it was Bourbon.

By Mr. JONAS:

Q. You voted the regular Democratic ticket at 5 o'clock in the afternoon?—A. Yes, sir.

Q. There was no compulsion used, was there, to make you vote that ticket; you voted it of your own free choice?—A. Yes, sir.

Q. This was after the killing of Matthews, and after the excitement of the day and the previous days?—A. Yes, sir. I will say this, that my mind was made up before that; but I didn't feel like voting after I saw that Mr. Matthews was killed; but having made up my mind before that, when a man came to me and said if I didn't vote that, inasmuch as I had spoken of voting in that way—no, I won't state that either. Well, I voted.

Q. Was the family of Mr. Matthews members of your church when you were stationed in Hazelhurst?—A. Some of them were.

Q. Was he a member, or his wife?—A. No, sir.

Q. Were they attendants at your church?—A. They came sometimes; they didn't attend church frequently.

Q. Some of his family were members?—A. Yes, sir; his father, mother, and sisters.

Q. Did he make any contribution to your church during the time you were pastor?—A. Yes, sir; he did.

Q. To what extent, do you remember?—A. Mr. Sexton, who is here, was one of the stewards and ought to know.

J. T. PARKER sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Copiah County, two miles from Hazlehurst.

Q. Are you a Democrat?—A. Yes, sir.

Q. Did you vote the Democratic ticket at the last election?—A. Yes, sir.

Q. Do you know Mr. Barksdale, the present member of Congress from that district?—A. Yes, sir.

Q. Did you hear him make a speech at any time during the last election at Hazlehurst?—A. I heard a part of it.

Q. Where was it made?—A. At the court-house.

Q. On the steps or inside?—A. Inside.

Q. What did he say in his speech about carrying that election, if necessary, by shot-guns?—A. I did not hear him say—do you mean he said to carry it if necessary by shot-guns?

Q. Yes.—A. No; I didn't hear him say that.

Q. What did he say about it?—A. Well, he complimented the men in their work, what they had done.

Q. The work they had done in the county?—A. Yes; and the speeches they had made, and the work the committee had done in the way of doing their duty.

Q. Did he say that he saw in the faces of those men who paraded

the streets a fixed determination to do their duty?—A. Yes, sir; I think he did, to do their duty.

Q. Did he say, "Fellow-citizens, I must compliment you on your patriotism"?—A. I think so, sir.

Q. Did he say that he had noticed them as they marched through the streets?—A. I did not hear that.

Q. Did he say that he saw in the eyes of the armed men who paraded the streets that evening a determination to carry the election?

Mr. CAMERON. Or anything to that effect.

The WITNESS. I heard him say he saw in their faces a determination to carry the election if it was possible, or something to that amount; I don't remember the exact words.

Mr. FRYE. Did you hear him say, "I say to you, carry this elect' whatever the issue may be"?—A. I heard him say, "We must carry this election."

Q. "Whatever the issue of it may be"?—A. No, sir; I don't think—I don't remember that.

Q. Did you not hear Mr. Barksdale say in substance (I am not asking for his language exactly, but in substance) that they must carry that election if they carried it by shotguns?—A. I do not think—no, sir; I could not say that I did hear him say that.

Q. Did you not so tell Mr. Burnet?—A. I think not—not to carry it by shotguns.

Q. Did you meet Mr. Burnet at Gallman on the day of the election?—A. I did.

Q. Did he not ask you as a friend if it would be safe for him to go to Hazlehurst?—A. He did.

Q. What did you tell him?—A. I told him that under the circumstances I did not think it was, owing to some little difficulties he had had there, and the excitement, I did not think it was safe for him to go there.

Q. Did Burnet then say to you, "I heard that Barksdale made a speech there Monday night, in which he told the people that they must carry that election, even if they carried it by shotguns," and did you not say in reply to that, "I do not know that he said those exact words, but he said that in effect"?—A. I don't remember. He asked me several questions, and I may have said something to that amount.

Q. Well, did Mr. Barksdale say that in effect?—A. I do not think he did.

Q. Did Mr. Barksdale, in your opinion, in his speech, placate the mob, or endeavor to keep them quiet?—A. I could not say that he did. I did not hear all the speech.

Q. Was not what you heard calculated to arouse them all?—A. It was calculated to arouse the men to their duty, I thought; I don't know that it was to the mob.

Q. You knew that the men who were listening to him were the very men who had been parading the country for a fortnight?—A. No, sir; I didn't know anything of the mob until a day or two beforehand.

Q. You knew a day or two beforehand that there was an armed mob there, mounted?—A. I knew that some men, mounted, with guns, went into Hazlehurst on the day before, or the same day.

Q. Was there anything in Mr. Barksdale's speech which discouraged those men from doing their duty in their way?—A. No, sir.

Q. Did he not eulogize them for the spirit they had shown in the campaign?—A. I cannot say that he had reference to the armed mob,

as it is termed. He eulogized the Democratic party for the manner in which they had——

Q. Did not the chairman of the Democratic committee lead that mob?—A. I do not know.

Q. Did you not see him with the mob?—A. No, sir; I saw but very little of the mob, only that day that he made the speech at night, and he was not with them at that time that I saw.

Q. Since you came here from Hazlehurst, in this adjoining room, within four hours of the time you are testifying on the stand, have you not stated that Mr. Barksdale, in his speech, did say that they must carry that election if they carried it by shotguns, or words to that effect?—A. He said that we must carry that election.

Q. Answer my question. Within three hours of the time you are testifying, in this back room right here, when asked whether or not Mr. Barksdale did not in his speech say that they must carry that election even if they carried it by shotguns, did you not say in reply, "I do not know that he said those exact words, but he said that in effect"?—A. Something to that amount.

Q. You said that he said something to that amount?—A. Yes, sir; something to that amount.

Q. Did you not, in that same conversation, in this back room, within three hours, say that Mr. Barksdale in that speech congratulated the armed mob he had seen parading in that street on the determination shown in their eyes?—A. No, sir; not the armed mob.

Q. What did you say?—A. I said he congratulated the Democratic party on the manner in which they had acted.

Q. The manner in which they had conducted that campaign?—A. Yes, sir.

By Mr. JONAS:

Q. Where was this speech made; in the court-house?—A. Yes, sir; in the court-house.

Q. There was no armed mob in the court-house at the time?—A. I did not see any.

Q. The audience did not have their arms with them, did they?—A. I did not see any.

Q. Mr. Barksdale was addressing them, an audience of the people of Hazlehurst?—A. Yes, sir; the people of Copiah County.

Q. Were there not many men in that court-house who did not belong to that mob at all, and who had not been out in it?—A. Yes, sir.

Q. This was an audience of the people of Copiah County called to hear Mr. Barksdale address them?—A. Yes, sir.

Q. When Mr. Barksdale addressed the crowd and congratulated them, and said that he saw by looking in their eyes that they were disposed to do their whole duty, who did he mean, the people he was addressing or the armed mob which had been parading the streets?—A. The people whom he was addressing, I suppose.

Q. Who did he seem to congratulate when he said that they had done their whole duty, and he expected them to do their whole duty?—A. The Democratic party.

Q. Did he say more to them in that speech than that he expected them to do their whole duty on election day and to carry the election; that he expected every man to do his whole duty and expected them to carry the election?—A. Well, he said in words, I believe, that he expected every man to do his duty and carry the election.

Q. And he expected the party to carry the election on the following Tuesday?—A. Yes, sir.

Q. Is that not very usual and common for public speakers in making exhortations to their party to urge them to carry the election and to say that they expect them to carry the election?—A. Yes, sir; it is very common.

Q. You do not remember that Mr. Barksdale used any of the expressions which have been referred to by Mr. Frye in reference to carrying the election by the use of shotguns, do you?—A. Not using those words; no, sir; not using the word "shotguns."

Q. Do you think he conveyed that impression that he expected the people to use shotguns for the purpose of carrying the election?—A. No, sir; I do not think he intended to make that impression.

Q. Was he not addressing a great many people who had not used shotguns or taken any part in these demonstrations made in Hazlehurst two or three days previous to the election?—A. Yes, sir; he was addressing a great many who had not taken any part in it.

Q. Was not this a meeting of the people of the town of Hazlehurst?—A. Yes, sir.

Q. Called for the purpose of hearing Mr. Barksdale speak?—A. Yes, sir.

Q. Were there many citizens of Hazlehurst in that armed mob which had been parading; were they not mostly from the country precincts of the county of Copiah?—A. I do not know; I did not see the mob.

By Mr. CAMERON:

Q. Did Mr. Barksdale in that speech refer to the fact that colored men had been killed in the country by this Democratic mob?—A. I did not hear it.

Q. Did he refer to the fact that the mob had raided the county, shooting into the houses of colored people; did he say anything about that?—A. I did not hear that.

Q. He said nothing of that kind?—A. Not that I heard.

Q. I mean when you were present.—A. No, sir; I heard nothing of that kind.

Q. Did he censure the Democrats for killing and shooting Republicans in the county?—A. I did not hear him censure them.

Q. He made no reference to that at all?—A. I did not hear him if he did.

By Mr. FRYE:

Q. Did you not hear Mr. Barksdale say that they ought to hang Frank Bufkin so high that the birds of prey could not put their beaks into his body?—A. I did not.

Q. Or anything of the kind?—A. No, sir; nothing of the kind.

Q. Well, within three hours, in this house, since you have been here, have you not said so?—A. No, sir; I have not.

Q. When that exact language was repeated about three hours ago did you not in reply say, "Yes, he said something of that kind"?—A. No, sir; not in regard to this last question that you ask me.

By Mr. CAMERON:

Q. Did you hear him refer to Frank Bufkin at all in his speech?—A. No, sir; I did not.

ALEXANDER A. LOMAX sworn and examined.

By Mr. FRYE:

Question. You are a minister of the Gospel, are you?—Answer. Yes, sir.

Q. What belief?—A. The Baptist persuasion.

Q. Do you reside in Hazlehurst?—A. I do.

Q. How long have you been there?—A. Ten years.

Q. Are you a Democrat?—A. I am.

Q. Did you vote the Democratic ticket at the last election?—A. I did. I make this exception, however, gentlemen. My conscientious convictions are such that I will not vote for a whoremonger, a drunkard, or an infidel, if I know it.

Q. How about a murderer?—A. We do not have them on the ticket, so far as I know.

Q. Your Democratic aldermen elected one city marshal a few days after this?—A. Well, I am not an alderman.

Q. Did you know Print Matthews?—A. Yes, sir, I did.

Q. And of his being murdered?—A. Well, I would not like to put it in that language. I know of his being killed.

Q. Did you that day make any talk in relation to his being killed; denounce it, or anything of that kind?—A. I did not.

Q. Were you advised to keep quiet?—A. I was not. I wish to say that I talked with reference to his death with the family. I was sent for by Mrs. Print Matthews, and I went to their house immediately after he was shot, within an hour or two, and I talked with the family; but I suppose your question does not allude to that.

Q. Did a man named Joe Purser, a Democrat, call on you?—A. He did.

Q. What did he tell you?—A. I will relate the whole circumstance if you will bear with me. On the day that Mr. Matthews was buried, or the day following, I cannot recollect exactly which, Joe Purser called on me at my residence. I invited him into my study and asked him in what way I could serve him. He said he came to see me with reference to a statement that he understood I had made, which was to this effect: that the first night that Print Matthews lay a corpse in his house I had stated that those armed men in town were on duty to prevent Joe Purser and Ras Wheeler from burning up the town of Hazlehurst. I said to him, "I emphatically and positively deny the statement and demand your author." He stated that it had come to him through some school children of his brother's who were going to the same school that my little children were attending, and that they should have told it as coming from my little children, and my little children had heard it around the fireside in my home. I then asked him if he deemed the flying rumors, street rumors of school children, of sufficient importance under present circumstances to call on me in that way. He said we had always been good friends, and he did not know why I should have made such a statement as that, and that under excitement he felt it was necessary and due and right to call on me for an explanation about it and state it to me, implying in his remarks that my little daughter, ten or twelve years old, should have said it. I in reply said I would as soon question the veracity of another man's child as my own, and I did not assume the truth of another to the detriment of my own child as to a question of veracity. And there the matter stood.

Q. Did he advise you that you had better keep quiet and not talk?—A. No, sir; he did not.

Q. Did Purser tell you that he came as a committee?—A. No, sir; he did not. He came as an individual.

Q. He said he came as an individual?—A. That is my recollection, that he came as an individual.

Q. Was it safe around there at that time for any one to express his opinion about the killing of Matthews, in your opinion, in the town of Hazlehurst?—A. I do not think it would have been safe to have expressed it publicly, really, in certain circles. There were others to whom it might have been expressed privately, where it would have been perfectly safe to have done so. My opinion then was, as I advised others, that there was great excitement in town, bad blood was up, and that a very little imprudence or injudiciousness on the part of any one might create further troubles, and therefore I thought it the height of propriety for everybody to keep quiet; let their thoughts be as they may, keep their words to themselves. I do not think it would have been proper for people to have expressed themselves violently on the question, or entirely safe.

Q. Was there a meeting of what was called the Democratic Prohibitionists after the election in the town of Hazlehurst?—A. There was a meeting of Prohibitionists. The word Democratic was not associated with it.

Q. Were they Democrats?—A. Most of them were. Some were Republicans and some Independents.

Q. What proportion were Democrats?—A. It would be difficult for me to tell.

Q. Was not the large majority made up of the Democratic party?—A. I am not conversant with the political status of all the people. I think decidedly a large majority were of the Democratic persuasion.

Q. Did the meeting conclude to memorialize the legislature on the subject?—A. It did; yes, sir. We first had our convention in December; and we agreed upon a programme of action for the securing of the passage by our legislature, now in session, of a law for prohibition in that county. On the 6th of February we met again in convention, or mass meeting, to count up the petitions that we had gotten and the number of petitioners, and to appoint delegates to carry up our petitions to the city of Jackson and to lay them before the legislature, with our drafted bill which we prayed them to pass; and in that meeting we appointed delegates.

Q. Did you select Ras. Wheeler in that meeting as chairman of the delegates to go to that legislature?—A. We did not.

Q. Was he not selected as one?—A. Yes, sir; I think he was. We had what we called an executive committee, and the chairman of that committee was *ex officio* chairman of the delegation—the Rev. W. G. Bingham, the Presbyterian pastor of our town; and myself and some others, one or two others, assisted him in making out the list of delegates to go up to Jackson. Quite a number of names were put on; and I think towards the last, probably after I had gone to my home, the name of E. B. Wheeler was put on the list.

Q. Of whom was that executive committee composed? Please give the names.—A. I have not got them with me; they are at my room; about twenty or twenty-five.

Q. How many of them were Democrats?—A. I suppose about 15 or 16, and some 8 or 10 were Republicans and Independents.

Q. And Mr. Wheeler was selected as one of these delegates?—A. I am not sure whether it was done before I left.

Q. At any rate he was elected as one of those delegates?—A. Yes, sir; we recognized him as one of them.

Q. That was done when?—A. On the 6th of February, the present month.

Q. Since he has been out on bail under the charge of murder?—A. I do not know what the charges are. He is on bail.

Q. You do not know that he is charged with murder?—A. No, sir; I do not. Not in the courts.

By Mr. JONAS:

Q. You have lived in Copiah County for several years?—A. Yes, sir; since 1872.

Q. You know these people well?—A. Portions of the county I know well; some portions of the county I have not gone into much.

Q. What is the character of the people of the county as a general rule for peace and conservatism?—A. It is good. I will say this, however: if a man is spoiling for a fight or fuss he can get it. We are an accommodating people down there.

Q. And there are always some people there on both sides spoiling for a fight?—A. Not always.

Q. But there is such a class of people?—A. Oh, yes, sir; some who like to have a tiff and get a little whisky when they come to town.

Q. As a general rule are the people quiet, well disposed, and in favor of law and order?—A. I think so.

Q. Do you not think a very large majority of them are?—A. Oh, yes, sir.

Q. Do you not think a very large majority of the people of Copiah—I will even say a large majority of the Democratic party of Copiah—are opposed to any violence, and in favor of law and order?—A. I do not know what the strength of the Democratic party is exactly, but I think I could be safe in saying that, and I think I might safely say that of the other side, Independents and Democrats. It is true all over the country. Our county is a good county.

Q. I suppose you saw on one or two occasions this assembly of men that is generally styled a mob by the witnesses here?—A. I saw them on Monday evening before the election the first time.

Q. How many men do you suppose there were in the procession?—A. They were not in procession when I saw them. Though I live in Hazlehurst I have been preaching half my time to country churches. On Friday preceding I had gone about 15 miles out to a church, and I came home Monday, in the afternoon. Having some business at the court-house (I live at the extreme northeast part of the town, and the court-house is in the center) I came down in the evening—I think it was to execute some marriage license—and I saw them, not in procession, but they seemed to be "at rest," as we would call it in the Army.

Q. How many men were there in the crowd?—A. I suppose between 75 and 100.

Q. Is not that a very small percentage of the Democratic people of the county of Copiah?—A. Oh, yes, sir; I suppose we have 2,500 Democrats in the county.

Q. So but a small percentage of the Democratic party of Copiah County was out in that mob or assemblage, or whatever you may call it?—A. Well, it is about the percentage of 100 to 2,500. We have between 2,000 and 2,500.

Q. It was that percentage that took part in this demonstration?—A.

What I saw gathered there were not in procession. Some were on horseback and quite a number on foot. Whether those on foot belonged to it or not I could not tell. I saw some twenty or forty guns, and a great many others had no guns, but might have had concealed weapons, so far as I know. There were probably thirty or forty I saw on horseback, standing as cavalry sometimes do at rest, and a good many were on foot. Whether their horses were hitched or not, or whether they were spectators or not, I could not tell.

Q. But altogether there were not over 100?—A. I should suppose somewhere about 100, more or less.

Q. There might be not to exceed 150?—A. I do not think it would hardly reach that.

Q. That you think is the percentage out of about 2,500 Democratic voters?—A. The census report of our county for 1881 states there are 5,241 voters, and the Democrats have usually claimed the majority. Whether that is true or not I do not know.

Q. They have usually carried the county, have they not, of late years?—A. Yes, sir; I think they have since the election of 1875, and I suppose there are 2,500 Democrats in the county.

By the CHAIRMAN:

Q. Did you know any of the persons in this mob or crowd that you saw; you say you saw them standing at rest and some of them dismounted?—A. Oh, yes, sir.

Q. Any considerable number of them?—A. I suppose I would have known a goodly number if I had stopped to look. I went on and looked casually among them as I crossed the street.

Q. Will you give the names of the persons you saw there?—A. Yes, sir; I think I can give you the names of some; I saw E. B. Wheeler (I state from memory and I may be mistaken; I could not be absolutely positive) and I think I saw Marion Higdon and William Higdon, I think, and Matt West and, I think, Jesse Thompson, jr., and quite a number of others; I did not look enough to determine.

Q. Can you remember any others; I would like to have the others that you remember; did you see Mr. Hart there?—A. I cannot speak definitely; I think he was there.

Q. Did you see Mr. Meade?—A. I saw Mr. Meade; I met him at the corner of the bank; he was, I think, unarmed.

Q. I mean the men that you saw in this company or crowd; did you see Mr. Meade in this crowd?—A. Yes, sir; I saw him. I was myself in the crowd at the time; I was passing through.

Q. I wanted the persons belonging to the crowd.—A. I think Mr. Meade belonged to the crowd.

Q. Did you see Mr. Bailey?—A. I do not think I saw him; that is, Mr. Joe Bailey.

Q. Did you see Mr. Purser?—A. I do not remember that I did.

Q. Did you see Mr. Womack?—A. There was quite a number of these country people; I knew their faces, but cannot recollect their names.

Q. You have stated all that you remember?—A. Yes, sir; now.

Q. These persons you have stated, were orderly and law-abiding citizens of the county, as you understood it?—A. Oh, yes, sir.

Q. You thought they were?—A. Yes, sir.

Q. And when you spoke of the law-abiding and orderly Democrats disapproving of these proceedings you included these gentlemen, did you, among the others?—A. I spoke generally in reference to it.

Q. I mean whether Mr. Wheeler, the two Higdons, Matt West, and Jesse Thompson, jr., and Hart, Mead and Purser are, in your judgment, among that class of people whom you have spoken of as the respectable, orderly, and law-loving Democrats of the county?—A. So far as I knew them I thought they were.

Q. Are they men of influence among their neighbors, and respected and liked by their Democratic neighbors, so far as you know?—A. Yes, sir.

Q. And men of influence in the Democratic party, are they not, all of them?—A. That is a little difficult for me to define, that matter of influence. They are considered respectable Democrats.

Q. Are they not also active Democrats, taking a share in the management of the party, likely to be on its committees, and attending its caucuses?—A. I wish to say here, by way of explaining an answer, that while I am as I stated a Democrat, I have never belonged to a Democratic club in my life and did not attend any of the meetings, hear any Democratic speeches, or read any political papers during the campaign, except I glanced occasionally over the little papers published there in our town, and rarely ever read the proceedings of the meetings, and do not know that these gentlemen were on the committees.

By Mr. CAMERON:

Q. Do you not know that Mr. Meade was chairman of the Democratic Committee?—A. Yes, sir; I know that he was so recognized; yes, he was chairman.

By the CHAIRMAN:

Q. When you said that the people whom you described were a people who, if anybody wanted to fight, would accommodate him, or were ready for a tiff, you meant for a fight with deadly weapons, did you?—A. I spoke with reference to Copiah County generally, and not with reference to Democrats, that he could be accommodated.

Q. That is what I want to know; accommodated with what?—A. With a fisticuff, if he wanted it.

Q. Do you refer to a fight with pistols?—A. I did not allude to it in that way, but I suppose he could be accommodated.

Q. Do the white people there generally carry arms?—A. Not that I know of.

Q. Do you know whether they do or not; what is your belief about that?—A. We have a law which prohibits persons from carrying concealed weapons. I do not carry concealed weapons, and I do not know anybody who does. Of course men who do those things keep it concealed, not only from me but from others.

Q. You say that on this committee which appointed the delegation to memorialize the legislature, the temperance committee, there were 15 Democrats, you should think?—A. Yes, sir; 15 or 16.

Q. Were those among the most respectable Democrats in the town, so far as you know, respectable citizens, those 15 people?—A. Yes, sir; They were made up, not from the town, but from the county.

Q. They were men of character and standing, were they?—A. Yes, sir—if you will pardon myself; I was on it.

Q. I wish to know as to the others?—A. I think they were.

Q. And they were from the class of people whom you would consider conspicuous there or as respectable as any, for being law-abiding citizens?—A. Yes, sir; and truthful, trustworthy men.

The CHAIRMAN. And they selected Mr. Wheeler for this office. That is all.

By Mr. CAMERON:

Q. State whether or not within two or three weeks prior to the election you heard of the outrages that were perpetrated in the country.—A. I did not.

Q. You never heard anything about them?—A. The first I knew, I think, was on Monday evening before the election. I do not remember to have heard a thing of it before.

Q. You did not hear of the shooting of this man Wallis?—A. No, sir.

Q. You did not hear of the shooting of Frank Hayes or his wife?—A. I do not remember that I did.

Q. You did not hear that this mob, as they are called, raided through the county in the night, and fired into the houses of the negroes?—A. Not until Monday evening before the election.

Q. You did hear of it Monday evening?—A. Yes, sir.

Q. Now, can you explain why the 2,000 or 2,500 peaceable, orderly, and well-disposed Democrats of the county did not put down that armed mob of 100 or 150 men; why did they permit it?—A. If you will bear with me a little I will state this: Once upon a time Mr. Grierson came through our country with a small handfull of men, but we were not expecting it and were not prepared for it, and he went on through; and my idea is that these Democrats were unprepared for it, and did not expect it, and consequently could not get organized and meet it, or else that they winked at it. It must have been one of the two.

Q. Have you heard any of these orderly and well disposed Democrats in the county denounce the outrages committed by that armed mob?—A. As I stated, I thought it extreme prudence not to discuss questions.

Q. You could discuss them in your house safely?—A. I did not talk these things; I did not draw people out on it. I advised them to keep their tongues still until we got more quiet in our feelings.

Q. Have you ever heard any Democrat denounce any of these outrages; I ask you that question?—A. I have heard several express themselves; I do not know that I could say denounce it; I do not know how strong a term that is, but that they disapproved of it.

Q. About how many did you hear state that, approximately?—A. I have never encouraged conversation on the question. It has occasionally been broached to me, and I have probably heard half a dozen.

Q. Give the names of those whom you have heard disapprove of it.—A. I did not charge my memory with names, not expecting to be called on in regard to this thing. I think I could give my friend Mr. Dodds here, and, if I mistake not, I so understood him in a conversation I had with him. I do not think Mr. G. W. Miller, our former Representative, indorsed it. I think he thought it was best not to do it, and others. I could mention some others, probably.

Q. Did you ever hear Mr. Miller, who was elected district attorney at the last election, express an opinion that it ought not to have been done, or anything to that effect?—A. I do not think I have. I have had no conversation with Mr. Miller for some time.

By the CHAIRMAN.

Q. Is Mr. Meade still retained as chairman of the Democratic committee?—A. I declare I don't know about that.

Q. Is he received, so far as you know, and associated with by the better class of Democrats there in society?—A. So far as I know he is.

Q. How is it with Mr. Wheeler; is he associated with there by the people?—A. Yes, sir; I think so.

Q. You think Mr. Wheeler is still associated with by the respectable Democrats there?—A. Oh, yes, sir; so far as I know he is.

Q. Even this gentleman, Mr. Miller, who thought it was best not to do it, still associates with Mr. Wheeler, does he not; do you know about that?—A. I do not know whether they are acquainted with each other; they live in different parts of the county; I associate with him.

J. E. MATTHEWS sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Copiah County, beat 3.

Q. What is your voting precinct?—A. Spencer's Mill.

Q. What is your business?—A. Farmer, as a general thing; I sometimes clerk in Hazlehurst.

Q. During this last fall were you a clerk in Hazlehurst?—A. Yes, sir.

Q. Who for?—A. Mr. Klotz, a merchant there.

Q. Are you any relation to Print Matthews?—A. None that I know of.

Q. You knew him?—A. Yes, sir.

Q. Mr. Matthews, you are an intelligent man, and you were there for two or three weeks, and your family in the country, up in beat 3; I wish you would go on and tell the committee what you saw and know about this thing.

The WITNESS. What do you want me to tell about?

Mr. FRYE. What you saw and heard of this crowd of armed men who were perambulating the country for two or three weeks before election.

A. About three weeks previous to the election I was clerking in Hazlehurst, and the store that I clerked in was situated between the two saloons in Hazlehurst, where I could hear a good deal. Men would come in and while under the influence of whisky would say, I suppose, things that they would not have said otherwise. But although I had heard of the beating of old Handy Fortner and the killing of Tom Wallis and the shooting of his wife and all those things, my mind was never made up fully that they meant to kill white people to carry the election until, I think, about Thursday before the election on Tuesday. About that time I was clerking there and I was busy at the hour of dinner and I did not go to dinner until the regular boarders had got through with their dinner. I was the only one at table when I went. I sat down at the head of the table, a long table like this, and the landlord was waiting on me, and during the time that I was eating two men came in and seemed to be very much excited and seemed enraged.

Q. Who were they?—A. Frank Thompson and Pink Beacham.

Q. Were they leading men there?—A. Yes, sir; they are leading men I suppose; they are considered such. They sat down at the other end of the table, they didn't notice me and I do not know that they knew what my politics were or anything about it; but directly they sat down Frank Thompson says, "It has come to the pass that we must carry this election at all hazards; we must carry it, and the only way to do it is to kill the ringleaders." Beacham says, "Yes, and the quicker it is done the better." About that time they saw me and the conversation was hushed.

Q. Now let me ask you if the grand jury was in session there?—A. Yes, sir; the grand jury was in session, and I think Beacham was one of the grand jurors, to the best of my belief. I came out on the street and I met Colonel Jones——

Q. A Democrat?—A. An Independent—and Amos Burnet, Print

Matthews, and others, and I told them what Thompson and Beacham had said. I told Print Matthews that I believed they intended to kill him. That was on Thursday, I think, as well as I remember. I staid there until Saturday; I generally went home Saturday night. My wife sent a horse and buggy in for me and I went out. On Saturday evening Dr. Barlow came into the store in Hazlehurst where I was clerking and showed me a petition that he had with about 75 names on it, a petition to the sheriff to send out men to arrest this lawless mob that was going around nights frightening, killing and murdering people.

Q. Were those names of Independents or Democrats?—A. I declare I could not say; I think they were Independents though, all of them; I think they were all white; I do not think there is a black name on the list. He came in and showed me the list and asked me what I thought of it. I told him I thought it was a good thing. He said he was going to present it to the sheriff. While he was talking to me, Print Matthews and probably Burnet (I am not certain about Burnet) came along and they went up to the court-house where the sheriff of the county was, and directly, right on the corner, fronting the court-house and directly in front of the bank and almost directly in front of the store in which I was clerking, I saw a crowd of men in conversation and some of them were talking rather loud. I was not busy in the store and I went out to see what they were talking about, and when I got out there I heard Print Matthews say to the sheriff, "We have got seventy-five names of respectable citizens of Copiah County and we petition you, sir, to send us out protection," and I think, as well as I can remember, that probably some of the leading lawyers there were in favor of his sending out men to suppress this and others not. I know that Bing Harris gave his voice against it, and said the sheriff had no right to send out unless he had a special affidavit against each and every individual named in the mob. Print Matthews asked him how in the world a man could make an affidavit against a disguised mob or party of men; and that got up a wrangle, and I had to go back to the store and sort of run back and forth, and directly they came to the conclusion that Dr. Barlow would make an affidavit against certain individuals to the best of his belief that he saw in this mob. I went to Mr. Williamson's drug store that night; I went with him, and he there made the affidavit. He did not feel safe to go home, and I did not feel safe to go by myself, from the demonstrations I had seen and heard. He gave his horse to a party to ride, and he and I went out in the buggy together. After the election I think Dr. Barlow was bulldozed into withdrawing that affidavit, probably at his own expense; I do not know that to be a fact, but I think he withdrew the affidavit. On Sunday I went back to town, and I put my horse up in the livery stable, and went over to J. P. Matthews'. Mr. Matthews was then in Jackson. I staid and talked with Burnet and Leon Matthews, and talked until bed-time, and I proposed to go back to the hotel, and go to bed. Mrs. Matthews insisted that I should stay all night, that there was plenty of room. I sat down, and talked a while longer to Leon Matthews, and proposed we should walk out, and in taking a walk he remarked that he had notice to leave town, and was expecting them to come every moment, and if they came he would not stay in the house, and they would probably fire on the house, and he would go out and take his chances. I told him if he believed that, I would stay and take my chances with him. I staid all night, but I did not sleep but little. Next morning I went to the stable and called for my horse. Bill Marks, the son of the proprietor of the livery stable there, came to me——

Q. Is he a Democrat?—A. Yes, sir; and told me he considered me a friend of his, and advised me not to go home; that he had seen and heard a good deal, and that that mob was down at my house shooting their cannon, and that he thought it would not be advisable for me to go, that I might be killed. I told him I was going home; that I was a free man, in a free country, and I was going, and wanted my horse. He said, "Well, if you will go, here is Colonel Brown, a staunch Democrat, and a good man as there is, and he says he wants a seat in your buggy," and I told him I would be glad of his company; and he went to Mr. Brown, and Mr. Brown refused to go with me because he thought it would not be safe in doing it. I went out in the buggy about five miles from Hazlehurst and I met the mob coming in, and there was the first time I did get scared; I felt uneasy. I met Emmett Spencer with a cannon ahead, and I drove my buggy out to one side of the road and Spencer drove by, and he remarked, "We are going in to wait on Print Matthews." I said, "I reckon you will find him when you get there." I had the Independent tickets in the buggy, but they didn't know it; I suppose if they had they would have taken them away from me and torn them up. Well, the crowd passed on, and as they passed along one would say this thing and that thing, but they did not try to do anything with me. Mr. Joe Bailey, as he passed, remarked, "We have been out in your neighborhood and we will be back there again to night." I says, "Well I will see you when you come." Nobody said anything to me at all and I went on home. When I got there one of my rooms was full of negro women and children. Another house in the yard was full, and their husbands were out in the woods. They told me that the mob had been to their houses and that they had run to the woods for protection; they had nothing to eat and wanted protection. I told them there were the houses, to go in, and as long as I had a mouthful I would feed and protect them. The next day two negroes came to my house and told me that Jesse Thompson, jr., and others said that the first man who voted the Independent ticket at Spencer's Mill would be killed. I did not put much confidence in what the negroes said; I really did not believe Thompson had said it. I had but little dependence in Jesse Thompson and I have got very little now. I was going to the polls to vote, and I went to the polls and voted, but I would have given $100 before I went there for any man to insure my life. I asked them if they had any Independent vote polled and they said no, and I said I had one to poll and I would poll it. After the election——

Q. Wait one moment. You say you went to the polls, offered your ticket, and voted?—A. I did.

Q. What did you do with the colored men; did you encourage them to go?—A. I told them, every colored man there who wanted to vote the Independent ticket, that I had the tickets, and I was going to see that they voted if they wanted to vote that ticket.

Q. Were you and Frank Bufkin there together?—A. Yes, sir.

Q. Were the colored men brought up, you standing there, and they voting in your presence?—A. Yes, sir; they did, and voted open tickets.

Q. Did you tell those men that you were there to protect them, and they should vote?—A. I told them I would see that every man should vote as he pleased, or I would leave my dead body on the ground.

Q. You were armed were you?—A. Yes, sir.

Q. Was Mr. Bufkin armed, also?—A. I do not know. I had nothing but a pistol.

Q. How many Independents voted while you were there?—A. There was a little row occurred there about 12 o'clock, and I taken an active

part in it; and there were parties on both sides who agreed that if myself and Mr. Mitchell would leave, that everything would go off peaceably, and every vote should be counted as it was polled. Marion Higdon said that we were seventy majority at 12 o'clock.

Q. Did he have the means of knowing just how the vote stood?—A. There was no mistake in him; he could not have mistaken it, because it was one of the resolutions of the club that every man who voted the Democratic ticket should vote an open ticket, and every man on that day on that election that voted the Democratic ticket voted an open ticket, and I saw three-fourths of the Independents that voted vote an open ticket, and every man that voted a folded ticket was put down as an Independent.

Q. They told you that if you and Mitchell would go off that everything should be peaceable?—A. Yes, sir; and every man should vote as he pleased, and the vote should be counted just as it was polled.

Q. Did you go off?—A. Yes, sir; I went to my house—I live close by—and directly after I left, Bill Higdon, a brother of Marion Higdon, got on his horse and struck out for Hazlehurst; I do not know what he told there; but he carried a message, anyhow, that the Independents there had taken the box and had created a riot, and all these sort of things. But it resulted in about twenty-five armed men with double-barreled shotguns coming back there to kill Mitchell and myself and Bufkin. When they came, there was a Democratic negro, that Jesse Thompson had taken out of jail; he was a convict, and I suppose had persuaded him, so the negroes said, to vote the Democratic ticket. They sent him up to my house to tell me to come down and surrender; that this mob was going to have me at all hazards. I put my pistol at his head and told him to leave there or I would blow his brains out, and I told him to tell that mob that I was only one man and I had done nothing to be killed for, but I was at home, and I had five double-barreled shot-guns well loaded with buckshot and I would empty every barrel of them before I was taken.

Q. Did the messenger go back?—A. He went back and did not come again.

Q. Did they come?—A. No, sir; they did not come, either. But the next evening about forty of them, so I am told——

Q. Wait a moment. While there, did the news of Print Matthews' death come?—A. Yes, sir.

Q. What happened then?—A. I was not at the polls; I was at home.

Q. As a matter of fact, at that precinct what heretofore has been the vote as between the parties?—A. I am not able to tell you. That was my first vote there.

Q. As a matter of fact, what was the vote that day as counted?—A. I cannot tell you exactly that, but I think we had on the regular ticket about 23 votes. I think there was about 80 majority of Democrats.

Q. When you left, the Democratic inspector informed you that your party was 70 ahead, and six or seven hours after that, when the vote was actually counted, you had gone down to 23 or 26 votes and they were 80 ahead?—A. Yes, sir.

Q. How many white men do you say voted the Independent ticket there that day?—A. I think there could be 26 or 30 white men that voted the straightout Independent ticket.

Q. What proportion of the white men of that precinct are Independents at your precinct?—A. I think it is pretty equally divided amongst the white men.

Q. The colored men are about all Republicans?—A. Yes, sir; three-quarters of them are, or nine-tenths of them are.

Q. Were you familiar with politics in beat 3?—A. No, sir.

Q. Now, the next day, you were going to say something?—A. The next day after the election I had business that called me down into the lower part of the beat. When I got my horse that morning my intention was to go to Hazlehurst and see Print Matthews. I considered him a friend of mine, and I wanted to see him, but parties told me it would not be safe for me to go, that I would probably be killed; and I then turned my horse and went down into the lower part of the beat; and the next morning, about sun-up, I was about ten or eleven miles from home. My wife had sent a runner to where I was to tell me not to come home, but to leave the county; that there had been about forty or fifty armed men, with double-barreled shotguns and pistols, in a rude, angry, and threatening manner, who had come to my house and demanded me, and I was not there. Well, I did not know what to do. I got on my horse and started for home. My friends advised me not to go, and said that I could not contend against the mob, and I concluded I had better take to the woods for a time, and I did it. I did not go home for several days; I went home about three days after that, but I went in the night and I left in the night.

Q. For ten days before the election, what had been the condition of things up in that part of the country?—A. From what I could hear it was in a perfectly demoralized state. The negroes were in the woods. I was not at home; I was not in the country, and can only speak from hearsay.

Q. Were the people very much alarmed, so far as you know?—A. Yes, sir; if they were all like me they were.

Q. Did you and Mr. Bufkin go to a meeting anywhere?—A. Yes, sir.

Q. Where was that?—A. We went to Ras Matthews's store at a public speaking.

Q. A Republican meeting?—A. It was Republican and Democratic speaking. It was a political speaking, a division of time.

Q. What took place there?—A. Two Democrats spoke and one Republican. I went up in company with Frank Bufkin. Bufkin rode past the store to where these other parties were and I got down right at the store where there was a crowd congregated around, and with the party Dr. Rowan, Mr. Guynes our representative, and Charlie Allen, Bill Higdon, and others, all Democrats and acquaintances, and I thought at the time friends, and I got down and spoke to them.

By the CHAIRMAN:

Q. When was that?—A. This was before the election. I walked up to the crowd and said, "I move we all go home; there is not going to be crowd enough to speak to." Charlie Allen, the clerk of the Democratic executive committee, remarked that he had made a motion similar to that and it had been lost, but he would renew it. He said his motion was this, that they go into Ras Matthews's store and buy a rope and take Frank Bufkin out and hang him. I did not say anything. He went on to say that before the county would submit to such outrages as that damned radical board had perpetrated on them they would take them out at once and hang them.

Q. He was the clerk of the Democratic executive committee, you understand?—A. He is clerk now.

By Mr. JONAS:

Q. What speaking was that at which this took place?—A. It was a political speaking; a division of time at Ras Matthews's store.

Q. Do you remember about when it took place?—A. No, sir; sometime during the canvass; I do not remember the date.

H. H. BARLOW sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. In Copiah County, beat 3.

Q. Where do you do business?—A. Mostly in Hazlehurst.

Q. How far are you from Hazlehurst?—A. Sixteen miles. I rent a little store 16 miles west of Hazlehurst, and farm also.

Q. What is your business; what store do you keep?—A. General merchandise.

Q. How long have you lived in Copiah County?—A I have lived there all my life, you might say.

Q. You are a Mississippian by birth?—A. No, sir; I was born in Louisiana, but I went back to Mississippi when I was two or three years old, and have been there ever since.

Q. What has been your politics?—A. I have been, up to the last election—the last two elections I have been voting a mixed ticket.

Q. The last two elections you have been Independent?—A. Yes, sir.

Q. Did you see anything of this mob that has been testified to here prior to the last election?—A. I saw armed men on Friday.

Q. State to the committee what you saw of them and when.—A. On Friday before the election—I think it was Thursday or Friday; I cannot be positive about the date, but I think it was Friday, though, before the election on Tuesday—I had to go to Hazelhurst on business, and to Spencer's Mill, which is the upper portion of beat 3. Spencer's Mill is right on the public road. I saw several Democrats from Hazlehurst; I think the different clubs had met there to have a speaking. Emmett Spencer told me there was going to be a speaking, and tried to get me to stay. They were all armed.

Q. With guns?—A. Yes, sir.

Q. On horseback?—A. Yes, sir; the guns and pistols were shooting off there and firing, and they came mighty near scaring my horse; well, they did scare my horse, but I got down when they commenced shooting. I heard the cannon before I got there; they had a cannon there. But I went on to town; I think then they went from there—they met there from several precincts. Several clubs of the Democrats met there and made a trip through beat 3. That was on Friday or Thursday.

Q. Riding through there in the night-time?—A. Yes, sir; they went from Spencer's Mill to Centennial and had their meeting there, so I learned afterwards, and then to Ras Matthews's store, and shot into it; and they came to our store, too, on Saturday night.

Q. What did they do at your store on Saturday night?—A. Wheeler made a little speech to them; he was major.

Q. What did he say?—A. He told them they had been out electioneering; and he told them they were going to carry the county and were going to carry beat 3, too; that they had been electioneering with the niggers.

Q. What else did he say?—A. That is about all I recollect. They staid around there for some time.

Q. Did he say anything about carrying the election?—A. No, sir; I think not. I was not there at the time myself; this was hearsay; I was in town. I went on to Crystal Springs and came back to Hazle-

hurst on Saturday, and went out with J. E. Matthews in the buggy on Saturday night.

Q. Where did you vote?—A. I voted at Tailholt.

Q. What time did you go up there on election day?—A. I went early, before the polls were open.

Q. Did you find anybody there in arms?—A. Yes, sir; this Tailholt club of the Democrats were all there.

Q. Were they armed?—A. I never saw any arms when I first went there, but they got out a report soon after I went there, and several came in that they had seen some negroes coming with shot-guns, and they broke for their guns, which were deposited up in Mr. Ashly's house just on the hill.

Q. Near by?—A. Yes, sir.

Q. The negroes did not come with their guns?—A. No, sir; they merely did that to run the negroes off. A big crowd of negroes came to vote and they did not expect one, and they had been around to the houses bulldozing and making threats if they came.

Q. Then did the negroes leave?—A. No, sir; they did not leave right then. They did not open the polls, and a big excitement had gotten up, and they finally left.

Q. They did not stop and vote?—A. No, sir.

Q. Was there not a marshal at the door armed with a gun?

The WITNESS. At Tailholt?

Mr. FRYE. Yes.

A. Yes, I think he had his gun at Ashley's.

Q. What did he say about colored men voting the Independent ticket that day at that poll?—A. I do not recollect. Do you have reference to S. S. Starnes, jr.?

Q. Yes?—A. I do not recollect hearing him say anything about it.

Q. Do you not remember hearing Starnes say he was damned if they intended any nigger that day at that poll should vote the Independent ticket?—A. I heard that on the ground; that was the talk, but I could not say that Starnes said it.

Q. Was that the general talk?—A. Yes, sir.

Q. Did the negroes vote the Independent ticket there that day?—A. I do not think there was a negro voted there. There were but 8 votes polled, Independents votes, though generally the Independents cast about 125 votes there. The Independents were usually a little ahead there.

Q. The Democrats, I suppose, cast their usual vote?—A. Yes, sir; there was a good deal of excitement there, and the negroes on my place I told them to go out and vote, and that I would see that they voted if they wanted to. I never electioneered with a negro on my place, or anybody who lived with me. There was a white man who lived with me not who went and voted the Democratic ticket. I told my negroes to come and vote early and go home; that there might be trouble, but that I did think there would be, at the polls. I thought it was a bulldozing scheme to scare them off from the polls. We all went together except one negro. At this Tailholt box they stationed four men with double-barreled shotguns to keep the negroes back, and one of my negroes was a little late, and we left him on behind, and they turned him back, drew a double-barreled gun on him, and told him that he could not come; and he waited about an hour and came back again, and they did the same thing; would not let him in at all.

Q. They picketed the roads, in other words?—A. Yes, sir.

Q. Do you know whether the other roads were picketed or not?—A. I do not know. It is generally supposed they were.

Q. Is that the talk around there in that section?—A. Yes, sir; I think this darky who was cut off is summoned here to testify.

Q. What was the condition of the whole surrounding country there for 20 miles for a week before the election; was it in a state of terror?—A. Yes, sir; there was a reign of terror.

Q. Were they firing in the night all around?—A. Yes, sir.

Q. Firing cannon as well as guns?—A. Yes, sir.

Q. Were the rumors rife about their killing Wallis and firing into the house of Frank Hayes and his wife, and beating and abusing negroes and all that sort of thing?—A. Yes, sir; the negroes laid out in the woods; the women and children did not stay in at all. I knew of several women in a bad fix, who had been confined, who had to stay in the woods.

Q. Were you at your store when Guynes and Rowan, candidates for office on the Democratic ticket, made speeches?—A. Yes, sir.

Q. How many were there with arms then?—A. I expect there were fifty, and probably more.

Q. Did you hear the speeches?—A. Yes, sir.

Q. Did they counsel the white men to keep the peace and not frighten the negroes?—A. No, sir.

Q. Were the speeches, on the contrary, inflammatory, excitable, and incendiary?—A. Yes, sir; I think so.

Q. Did you come to town to make an affidavit?—A. Yes, sir.

Q. Was there a petition?—A. Yes, sir.

Q. Tell the committee about that petition.—A. I do not know how many names were on the petition, but there was a long list of respectable white men down there (that is largely Independent down in that country) and they were all opposed to it. It kept their families disturbed by the guns firing, the negroes disturbed, and there was just a reign of terror, and they petitioned the sheriff to put it down. I went up there and presented it to Mr. Hargrave. J. P. Matthews went along with me. In that petition it stated, you know, the condition of matters in beat 3 there; that is a plumb reign of terror, and an armed mob going about at night driving people out and shooting them and whipping them, and the signers to the petition asked the sheriff to come and put it down, and if he could not do it to appoint them and they would. If he did not do that that they would have to take the matter into their own hands. That was the style of the petition.

Mr. Hargrave looked over the petition and said there were men there that he would not appoint as deputies; but he said he would go and consult his lawyer, and if his lawyer said that he could do it that he would send a deputy down to put it down, if they resisted, and stop it. He first saw Captain Ramsey, and asked Captain Ramsey, and he sort of advised him to do it, knowing the state of affairs; and Hargrave went on to see Judge Mayes, and Judge Mayes advised him under the circumstances to send a man down. Then we came out to get a man. They were going to send a man along with me—a deputy—and we met there on the street near the bank a large crowd, and among them was Captain Harris and Mr. Meade, and they advised Hargrave that it would be impossible for him to send a man down without there were affidavits made reciting the crime and all, before he could make any arrests. I told Captain Harris that some of these men went to the houses blacked; they had false-faces on, and I could not tell who they were; that I was

a law-abiding citizen and would like to put it down, but would not consent to swear to an affidavit against anybody unless I knew who it was. I said I knew it was an armed mob, and they forced us down to that, and I just swore to the best of my knowledge and belief who it was, and I went on home. I think they were nearly all arrested that I swore out the warrant against. I swore out a warrant against Wheeler, Joe Bailey, and several others that I knew.

Q. Well, they did not stop the mob, did they?—A. No, sir.

By Mr. JONAS:

Q. Were you a witness in the case of Matthews *vs.* M. Faler & Co., a case in the chancery court of Copiah County, a few years ago?—A. Yes, sir.

Q. You gave testimony for the plaintiff in that case?—A. Yes, sir.

Q. Were not some fifteen or twenty of your neighbors sworn as witnesses on the other side who all swore that they would not believe you on oath?—A. I think they did.

Q. Bud Higdon among them?—A. No, sir; I do not think he did.

Q. Or Jesse Thompson?—A. I do not know what Jesse's evidence was.

Q. There were quite a number of your neighbors swore that they would not believe you on oath?—A. Yes, sir; they were these same bulldozers.

Q. This was three or four years ago, before any of this bulldozing occurred?—A. Yes, sir.

Q. Were you ever indicted in Copiah County?—A. Yes, sir.

Q. For what offense?—A. Well, I do not know; for seduction.

Q. Were you not indicted for committing rape upon your cousin by chloroforming her and then committing rape upon her?—A. No, sir.

Q. Are you sure you were never indicted for that offense?—A. No, sir; I do not know what was the form of the indictment.

Q. Well, there was an indictment against you?—A. Yes, sir; there were two or three indictments against me; two indictments.

Q. You say they were for seduction?—A. One was.

Q. Of whom; your own cousin?—A. That is what it was claimed.

Q. Were they not for rape—for administering chloroform and then taking advantage of it?—A. All I know is that it is all a lie, so far as that is concerned. Here, stop! In the first place the grand jury that found the bill against me never had a witness before it for seduction. I know that to be a fact which I can prove right here; there is a man on the ground. There is a prejudice against me there, and was at that time, and I know that one of the bills that was found against me in regard to that matter was found without a single witness before the grand jury.

Q. How about the other bill?—A. I suppose that was based on what those parties swore.

Q. Were not the trial of those indictments continued from term to term at your instance?—A. For a year or so it was continued.

Q. Did you not finally plead guilty to an attempt at rape?—A. No, sir.

Q. And pay a fine of $500?—A. No, sir; I did not. It was an attempt at seduction.

Q. You plead guilty to an attempt at seduction?—A. Yes, sir.

Q. Is that an offense under the Mississippi statutes?—A. That is exactly the matter.

Q. The indictments, I suppose, will speak for themselves?—A. The

last bill was for seduction, and it was obtained two years after the first offense, that is, as charged; just before the time ran out. It was a sort of mixed up arrangement.

Q. How was it finally settled?—A. I was fined $1 and costs, that was all.

Mr. JONAS. Well, the records will show.

By Mr. FRYE:

Q. Do you want to say anything more about it?—A. I do not want to say anything more about it. It was a sort of nasty affair. There was nothing in the chloroform matter, for they swore themselves that they smelled it for three weeks.

Q. Was it by a low-bred family there?—A. Yes, sir.

Q. Did they try to get money out of you?—A. Yes, sir. Wright knew I had money, and I had even furnished him money to make his crop on that year, and furnished his tenants; and he told me if I would pay him $500 he would not prosecute, and he had lied all the way through in regard to it, and there was not a word of truth in what he had said—the reports that he had scattered through the country—and I was mad about it, and I just told him I had intercourse with his daughter with her consent (I just came right out and told him that), and had been keeping her for some time, and we were caught up with; and I told my story, you know, and this aggravated him and he brought the prosecution by the advice of several others, several of my enemies.

Q. Those men who swore that they would not believe you on oath; were they political enemies?—A. Yes, sir.

Q. Were some of them in this mob that came around at this time?—A. Yes, sir; most all of them were.

By Mr. JONAS:

Q. When was this suit of Matthews against Faler & Co. tried? It was three years ago, was it not?—A. I reckon it was about three years ago.

Q. These men were not all your political enemies then, were they?—A. I did not vote like any of them.

Q. You voted a mixed ticket, I think you said?—A. I said for the last two elections; that has been four years.

Q. They were not in this mob three years ago? This mob was only last fall?—A. Yes, sir; that was just last fall.

Q. You do not suppose that participation in a mob would render a man capable of, or necessarily involve his swearing falsely or impair his credibility as a witness; you do not mean to say that, do you?—A. There are several I knew who wont tell the truth who swore against me—that will not tell the truth and will swear to a lie any time.

Q. I suppose the records will show that there were twenty who swore one way and you the other.—A. I will tell you what is the fact. I had been buying up judgments and speculating on people's paper, and there were two parties in that, and the very two parties, they went to Bob Miller, who was attorney for Mr. Faler, to get my personal enemies summoned there to impeach my testimony. I had bought judgments of these parties and forced them to pay their honest debts. That was the first falling out. We were good friends before that.

J. E. MATTHEWS recalled.

By the CHAIRMAN:

Question. When these people were in your neighborhood, I want you to relate a conversation that was had with them about their frighten-

ing women and children.—Answer. Well, I will have to relate this from hearsay, but it can be verified.

Q. State what you did yourself.—A. When this mob was in front of my house—it seems Spencer's Mill was a public place, and a public road ran directly in front of my house—they seemed to unite with all their forces there and shoot with their cannon and guns, and so on; and my wife, knowing my politics, of course she was frightened, and old man Bob Tillman lived on the place and went out and requested Thompson, as one of the prominent men belonging to that party and the club (and I think probably the chairman or president of the club), to move off and get out from in front of the house; that it was scaring the women and children and frightening them. And he remarked, by God he reckoned that none of the Democratic women and children were scared.

D. C. BARLOW sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in Copiah County.

Q. What part of it?—A. I vote at Spencer's Mill, beat three.

Q. Did you see anything of this mob of armed men riding around there nights?—A. No sir; I never saw them at all at night.

Q. Did you hear them?—A. Yes, sir.

Q. For how long a time before election were they heard around in that neighborhood firing?—A. I reckon it must have been two weeks, as well as I can recollect. I met one of those Wallis boys going after a justice of the peace to hold an inquest over his father. I think it was about two weeks.

Q. Were you at Spencer's Mill on election day?—A. Yes, sir.

Q. What time did you go?—A. I went pretty early, but they had voted some before I got there.

Q. What did you see while you were there?—A. When I went there it seemed like the Democratic club had all done voted. It seemed like they voted first, and Mr. Matthews and Frank Bufkin was giving out tickets to the negroes that came up, and finally Bob Allen, who lived near by me, walked up to me and said that Dr. Barlow had swore a lie on him, and I remarked to him that that was pretty rough talk; that my understanding was that it was fine times to have rows at election, and I would wait awhile, and he went on and finally he called him a damned son of a bitch, and all sorts of names and turned around, and Mr. Matthews and a lot of them had gone down to dinner, and I was giving out tickets while they were at dinner, and somebody ran down there and told them that there was about to be a row; and they went up there, and Mr. Matthews asked me what it was about. I told him a young man there by the name of Waynes——

Q. A Democrat?—A. Yes, sir; and him and Matthews got into a talk about it, and finally they drew their pistols, or Matthews did, and Waynes ran his hand into his pocket, though he said he didn't have no pistol; but he would not have run his hand into his pocket if he had not, I thought; he would have kept his hand to have laid hold of him, I thought. Pretty quick Bill Higdon went to Hazlehurst after some help, and when they came back it was late in the evening, and I asked a young man by the name of Willis Graham, kinfolks of mine, who was in this bunch of men, and all of them had double barreled shotguns; I asked him what did they mean, and he said Bill Higdon went up to Hazlehurst and told them there that the Independents had captured the box and would not let the Democrats vote, and he thought if

it was that way that he would come out and assist them. They staid a while there and caucused around, and I was the only Independent there, except my uncle, and he was inspector at the box; and they got about in bunches and caucused, and I thought it might be private talk, and I had better not be stepping up into private talk, and I didn't hear them talk much, but I understood there that Joe Bailey said it was too far to ride and do nothing.

Q. They did not want to come there for nothing?—A. Didn't want to come up that far for nothing; and they caucused around and Bill Webb told me that he told them not to go over there where these men were, about 100 yards from there; and at the time the polls were to be closed they counted out the tickets, and I believe the highest Independent ticket was 24, and I reckon the regular ticket was 21; there were some scratched tickets. The highest Independent man was 24 and the regular ticket was 21.

Q. What was the Democratic majority?—A. Well, they remarked there that there was 80 majority.

Q. That the Democrats had 80 majority at that polling place?—A. Yes, sir.

Q. When this company of men came from Hazlehurst how many Independents were there?—A. I was there, and my uncle and Joe Bondurant, and that was all.

Q. Was there the least trouble under the sun there about the ballot-box?—A. There was not any at all.

Q. The Independents voted, just as many as they pleased?—A. Well, several Independents were challenged and they did not let them vote on account of being over the line somehow.

Q. But men who came up and belonged there properly, voted, and the Democrats voted and there was no trouble about the ballot-box at all?—A. No, sir.

Q. There was no trouble about the ballot-box until they came to count?—A. No, sir; and there was no trouble about it then.

Q. Do you know how the ballot stands there?—A. My understanding was that the Independents were always ahead there by a strong majority, I do not know how much.

Q. Did you get news of Print Matthews' death up there?—A. Yes, sir.

Q. What time was that?—A. It was before they ate dinner. I do not know what time.

Q. Did a messenger come up from Hazlehurst?—A. Yes, sir; a young man named Willie Wade, he brought a note and they read it to the crowd. The note read this way: it said, "Jesse Thompson, jr. Print Matthews was killed about two hours ago. We expect trouble. Send us all the help you can. Joe Meade."

Q. Was that before or after the Democrats up near Spencer's Mill had sent down to Hazlehurst for a company of men and said that they expected trouble up there?—A. It seemed like the man had to go off the public road after a different horse, and he went by home and must have missed this messenger that brought this, and it was along late in the evening that these men came from Hazlehurst.

YANCEY TILLMAN sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Copiah County.

Q. What part of it?—A. Beat three.

Q. Where do you vote?—A. Spencer's Mill is my voting place, but I have never voted.

Q. Did you vote this year?—A. No, sir.

Q. Why not?—A. I never registered.

Q. Were you at Spencer's Mill?—A. Yes, sir.

Q. Did you see men around there with guns?—A. Yes, sir.

Q. Democrats?—A. Yes, sir.

Q. Do you live near there?—A. Yes, sir; within about 150 yards of the mill.

Q. Were there men there armed all day, Democrats?—A. Yes, sir.

Q. Did they have guns?—A. Yes, sir.

Q. Were you there when Higdon brought a message that Matthews was dead?—A. Yes, sir.

Q. What did the crowd do when the message was read to them?—A. They all laughed and rejoiced over it.

Q. Do you know anything about the mob going to Ed. Matthews's house?—A. Yes, sir.

Q. Did you see them when they went?—A. Yes, sir.

Q. How far is that house from you?—A. One hundred and twenty-five yards.

Q. How many went there?—A. I do not know; it looked like there were thirty, thirty-five, or forty.

Q. On horseback and armed?—A. Yes, sir.

Q. What with?—A. Some with guns and some with pistols.

Q. What did they do there?—A. They went and inquired for him. They remarked that he was not at home. Some had pistols in their hands, and I could not understand what they were saying.

Q. Where did they go then?—A. Some went to nigger houses over there on the place and some came back; they went over there and inquired for him.

Q. Where did the others go?—A. They came on back and I do not know where they did go to.

Q. Had you seen anything of men around there with guns before?—A. Yes, sir.

Q. How long had they been around in that part of the country?—A. I never saw them until the Friday before the election.

Q. Did you hear them?—A. I heard of their being around in there.

Q. Did you hear the guns?—A. Yes, sir; I heard guns and pistols firing.

Q. And cannon?—A. Yes, sir, I heard a cannon.

Q. What became of the colored men in that neighborhood?—A They all went to the woods.

Q. Were they there on Sunday, too?—A. Yes, sir.

Q. They came there twice?—A. Yes, sir.

Q. Did you hear your father go and beg of them not to disturb Mr. Matthews' wife, that she was sick?—A. Yes, sir; pa told them that if he was them he would not be going about there shooting and scaring women, and that Mrs. Matthews and the women and children were about scared to death, and he remarked, "By God, it was none of the Democratic women and children that were scared."

Q. Was it Higdon who brought the message of Matthews' death up there?—A. No, sir; it was Mr. Wade.

Q. Did you see Higdon around there?—A. Yes, sir, I saw him; he went to Hazlehurst and came back.

Q. What did he say when he came back?—A. He came back, and there was a whole crowd standing around talking, and he came up and said

that Wheeler had sent word to the boys of beat 3 that he did not quite fill his promise; he had promised them all that Print should not vote, but he did drop his ticket in; and as he dropped his ticket in, he dropped him; and somebody wanted to know how Wheeler did it, and he said, it looked about like he had shot a rabbit; and Mr. Webb was standing close by, and he called Higdon off.

By Mr. JONAS:

Q. Who do you say brought that message from Ras Wheeler?—Mr. Bill Higdon, a brother-in-law of Wheeler's.

Q. Who is the man who said that the cannon was not scaring Democratic women and children?—A. Jesse Thompson, jr.

The subcommittee then adjourned until Thursday morning, February 21, 1884.

NEW ORLEANS, LA., *Thursday, February* 21, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas. The taking of testimony was resumed as follows:

G. M. BANKSTON sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. At Hazlehurst, Copiah County, Mississippi.

Q. How long have you lived there?—A. I have been living there two years.

Q. How long have you lived in Mississippi?—A. I was born and raised in Mississippi.

Q. How long have you lived in Copiah County?—A. I was born and raised in Copiah County.

Q. Are you acquainted in the country around there?—A. Yes, sir.

Q. Do you know anything about the condition of things in that country for two or three weeks before the last election?—A. No, sir; I could not answer about that; I was in town and only knew what was going on in town.

Q. Did you see anything of armed and mounted men in town there?—A. Yes, sir; the day before election.

Q. How many did you see mounted and armed?—A. I suppose there were seventy-five or one hundred men mounted and armed together; I could not say.

Q. Did they go out into the country?—A. I could not say as to that.

Q. Were you at Mr. Matthews' store at any time when it was visited by a mob?—A. No, sir; the mob did not visit it. They rode just below his store the day before the election and stopped; that was in the evening.

Q. Did you see Mr. Matthews' store fired into?—A. No, sir.

Q. Were you inspector at Hazlehurst precinct?—A. Yes, sir.

Q. Republican inspector?—A. I represented the Independents as inspector there.

Q. Are you a Republican?—A. No, sir; I have always voted a mixed ticket all my life; I always voted for the *man*.

Q. What time did you go to the polls on the morning of the election?—A. I suppose it was between 8 and 9 o'clock, or somewhere about that time.

Q. Who was in the room?—A. When I went in?

Q. Yes.—A. I don't recollect now. There were several in the room; the polls were not opened.

Q. Just prior to the opening of the polls who was there?—A. When the polls were opened, none but the officers of election. The marshal ordered all out of the house except the officers of election.

Q. Who were they who were left there?—A. There was Mr. Coxwell, Mr. Jim Morrison, George Hamilton, Captain Burch, and myself and Mr. Wheeler and Mr. Matthews.

Q. Do you know what Wheeler and Matthews were; what connection they had with the election?—A. They were challengers of the election.

Q. How are they appointed in your country?—A. I do not know whether the board of commissioners appoints them or not, but they were recognized as challengers of the election.

Q. Mr. Wheeler was the Democratic challenger and Mr. Matthews the Independent challenger?—A. That is the way I understood it.

Q. What relation was Morrison to Wheeler?—A. I do not know that they are related at all. One of the Morrisons married Wheeler's daughter, but that was not the one.

Q. One of his sons married Wheeler's daughter?—A. No, sir, one of his brothers married Wheeler's daughter.

Q. State what took place at that time in that room.

The WITNESS. You mean after the polls were opened?

Mr. FRYE. Yes.

The WITNESS. When the polls were declared open and all were ordered out of the house except the officers of election, Mr. Matthews remarked that he reckoned he had a right in there as he was one of the challengers, and Mr. Coxwell remarked in a laughing way "Yes, brother Matthews," or something to that effect. "Brother Matthews, be seated," or "make yourself at home," I don't recollect the exact words, but it was something to that amount, and he stepped up and says, "I want to vote." Mr. Coxwell took his ticket, and after he handed it to him Mr. Matthews remarked to him, let me see it again and, taken it back. Mr. Coxwell handed it to him (Mr. Coxwell had sort of doubled it up to put in the box), and he held it up with both hands, and said "that is right," and handed it back to Mr. Coxwell. I was running the poll-book, and my eyes were on the poll-book to refer to his name, to see whether it was on the poll-book, and while I was looking on the poll-book there was a gun fired. I threw my eyes up in the direction of the gun—in the direction where Wheeler was standing—and when I threw my eyes there, he had a gun in his hands, down, and looked like he was reloading or unbreeching the gun. Then I threw my eyes on Matthews, and when I first saw him he had his face towards Wheeler; in a short time he commenced staggering. I was on the opposite side of the counter; the ballot-box was put on top of the counter; I was on the opposite side, about 3, 4 or 5 feet from him, and when I saw him stagger I thought I would go to him before he fell and catch him, and I ran under the counter, and as I rose from under the counter he fell before I could get to him.

Q. Prior to the killing of Mr. Matthews, had you seen him talking with Wheeler?—A. No, sir; I didn't see that. He came in that morning and spoke to Wheeler; I recollect that.

Q. He spoke to Wheeler as he came in?—A. Yes, sir; they spoke friendly, but I didn't see them have any conversation. After that my back was towards them, and me and Coxwell and Hamilton were unlocking the poll-box and papers and getting ready for the election; and there

was a paper pasted on after the last election and I took my knife out and scratched that off leisurely, and waited for Mr. Morrison to come to the polls, and they were at my back some 10 or 12 feet off.

Q. Was there any excitable talk in there before that?—A. I heard none.

Q. Was Mr. Matthews excited?—A. No, sir; he did not seem to be excited any.

Q. Was there any indication that there was to be a tragedy there at any time?—A. I did not see any at all.

Q. Did you see the shot taken from Mr. Matthews?

The WITNESS. After he was shot?

Mr. FRYE. Yes.

A. No, sir; there was no shot taken from him.

Q. You do not know how many shot were finally removed from him?—A. Twenty-four buck-shot I think, taken effect.

Q. Did you see any of the buck shot?—A. No, sir; I did not see any of the shot, but from the size of the holes I supposed it was buck-shot.

Q. Where was the hole? A. One right in under the throat and the other right across the nipples; I suppose there was a space of 3 inches between the two loads.

Q. How large were the holes apparently?—A. Some of them were as large as the end of my little finger.

Q. So that there were two barrels fired?—A. It seemed so; or, if there was not two barrels, the shot divided. There was a space of about 3 inches, I suppose, between. I did not measure it, but I suppose about that distance.

Q. Did you not see this crowd on Monday before the election having cannon in front of Mr. J. P. Matthew's store?—A. Yes, sir; they had one across the street, across the railroad; not exactly in front, it was sort of southwest.

Q. Was it fired pointing towards the store?—A. Yes, sir; they fired it once, pointing towards the store.

Q. Did they say anything about having shot in it?—A. I don't recollect as to that.

Q. Were you in the store?—A. Yes, sir; I was standing and leaning back againstthe show-case when they pointed the gun, at the time they fired it pointing toward the store.

Q. Did you get out of the way?—A. I got behind the door.

Q. Did you think they were firing in fun or in earnest?—A. I did not know what they were doing. I have stood in front of cannon before. I did not knew what they were up to. I did not really think they intended to do any damage, but somehow I never liked to stand in front of shooting-irons of any description.

Q. Were you in the Confederate army?—A. Yes, sir.

Q. What became of Wheeler after he killed Matthews?—A. I could not tell you. After he fell on the floor and I saw he was dead, there were none of his brothers there, and I thought by his being from the store that his brother, who was candidate for sheriff, was at the store. I knew his brother, and I had the store-keys, and I left him there when I went up to the polls. I thought his brother was down there, and I would let his brother know he was shot. Wheeler was standing at the side door when I went out, and I never saw him any more that day.

By Mr. CAMERON:

Q. When and where did you first see the gun with which Wheeler shot Matthews?

The WITNESS. After the shooting?

Mr. CAMERON. Yes; in Wheeler's hands?

The WITNESS. Yes, he had it in his hands standing near the side door.

Q. Do you know from your own knowledge, or from information which you have since that time received, how the gun was brought into the room, or where it was in the room when the polls were opened?—A. No, sir; I could not say, for I did not see it.

Q. Have you learned since?—A. I did hear rumors, but I do not propose to testify to rumors at all; I only propose to testify to what I actually saw.

By Mr. SAULSBURY:

Q. You say you did not think that when they fired that cannon near the store there they intended to do any damage?—A. I hardly thought so. As I remarked, I hardly thought they would; but I do not like to face any kind of shooting-irons.

Q. It was over the railroad from the store?—A. Yes, sir; across the railroad.

Q. How far distant from it?—A. About 150 or 175 yards, or may be 200 yards; I do not know the exact distance.

NAPOLEON DEMAR (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. On young Ed. Brown's place.

Q. What beat?—A. Beat 3.

Q. In Copiah County?—A. Yes, sir.

Q. Were you living there before the last election?—A. Yes, sir.

Q. Were any armed men up in your neighborhood?—A. I don't know about that; there was men there at night with guns.

Q. Tell the committee about their coming to see you.—A. Well, they came there to see me, and came there and taken me out of my house.

Q. What night?—A. Saturday night before election.

Q. What time was it?—A. It was not quite midnight, the chickens hadn't crowed. I had gone to sleep, and I couldn't exactly tell; I was in bed.

Q. Did you hear them make any noise?—A. I never heard them until they knocked at the door and kicked the door loose. I jumped up and looked out of the door, and I saw them so close to the door I couldn't get out; and I ran back to the bed and got between the two bed ticks. Then they kicked the bottom of the door open and came in, and my boy was there, and told him to make up a light, and they scratched one match on the side of the house, and my boy was still making up the light, and they ran to the bed and said "Oh, we have got you."

Q. Did they have guns then?—A. Yes, sir.

Q. What did they do with the guns?—A. They held them all over me. I don't know whether they allowed to shoot me or not, but they had them over me. I laid there under the bed tick until they told me to come out, and I crawled out, and after I crawled out they told me to run, and I went to the door, and I asked them gentlemen what I had done to run for, and they said, "Run, run." I told them I hadn't done nothing to run for. And after I came to the door, as I got on the door step, one rode up side of the door—it was in the dark—and throwed a rope over my neck, and I throwed up my hand to knock it off, and he

jabbed me with a gun, and told me that if I did that any more they would put a hole through me, and this man then threw a rope over and I just let it go over my neck.

Q. What then?—A. Then they taken me on out to the stable, about 150 yards, and made me get down then, and one hollered back to the other and asked him what must he do with me. The other said, "You best hang him," and this one said, "Oh, no;" and then they made me get down on my knees and wallow and pray, and after I done that he said, "Get up and go on home, and go to bed."

Q. What did he say about voting?—A. He said who was I going to vote for; I said for Matthews and Hargrave, and he said don't call Matthews' name, vote for Hargrave; and he told me if I didn't vote that they would have me next Wednesday night—"I will come and see you next Wednesday night."

Q. Did they tell you to hold up your hand and swear?—A. Yes, sir; he did.

Q. What did you swear to do?—A. To vote the Democratic ticket.

Q. Did you go to the polls?—A. Yes, sir.

Q. Did you vote the Democratic ticket?—A. Yes, sir; I done just like I told them I would do.

Q. Did you want to vote the Democratic ticket?—A. No, sir; I had never voted one before in my life.

Q. How many men were there around your house with guns?—A. I could not tell you; it was dark. They scared me and my wife and children so bad I couldn't tell you how many there was.

Q. Were there a good many?—A. Yes, sir; my house was surrounded all around, but I couldn't say how many.

Q. Were they on horseback?—A. Yes, sir; all on horseback; I didn't see any of them walking.

Q. Had you heard of these men before, firing guns?—A. I heard guns over towards Mrs. King's, but I would not say it was them unless I saw them. I heard guns over there firing, and when they came to my house then I knowed it was somebody; but I didn't know who it was. I could not tell who they was.

Q. You slept up home all the time after that, didn't you?—A. No, sir; I slept in the woods.

Q. Where did your wife and children sleep?—A. My wife would go in the woods with my brother's wife.

Q. Did your brother's wife sleep in the woods, too?—A. Yes, sir; there wasn't one of us at home.

Q. How long did you sleep in the woods?—A. My wife and children staid in the woods until Tuesday night after election.

Q. How long did you stay in the woods?—A. Me; I never went home. I would almost hate to see when the sun went down, because I had to go in the woods.

Q. What happened to the negroes generally in that neighborhood; did they sleep in the woods?—A. Yes, sir, so far as I knows of them; I can hear them say they staid in the woods. I know where I staid.

Q. Were the people frightened around there?—A. Yes, sir; as far as I could hear of them they were saying they were frightened; I didn't know for certain.

WILLIAM ROBERTSON sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in Copiah County, Mississippi.

Q. How long have you lived there?—A. I have lived there about forty or forty-five years.

Q. Were you born in Mississippi?—A. Yes, sir; I was born in Mississippi.

Q. Were you in the Confederate army?—A. I was; yes, sir.

Q. What is your politics?—A. I am a Democrat.

Q. Were you in Birdsong's store last election day?—A. I can't say whether I was or not. I might have been or might not have been; I was frequently there.

Q. You know Birdsong?—A. Yes, sir.

Q. You know his store?—A. Yes, sir.

Q. Did you not do some trading there on election day?—A. If I did I don't recollect it.

Q. Do you not remember being at Birdsong's store and hearing the crack of a gun on election morning and Birdsong saying, "There, they have killed Matthews?"—A. No, sir; I never heard anything of it. I never heard that gun fired at all. I know that I was not in Birdsong's store when Matthews was killed; I know that. I might have been in there during the day, but I was not in there at the time he was killed.

Q. Are you coroner?—A. I was at that time.

Q. Did you hold an inquest over Matthews?—A. No, sir.

Q. What did you do about it?—A. I went up there for the purpose of holding an inquest over him, and I was advised by several parties that there was so much confusion there among the women that they would not do it; that they did not think it was necessary any way, for we all knew that he was shot and killed, and the only thing it would be necessary to know was who killed him, who did it, when Mr. Ware spoke up and says, "I am told that Wheeler says he done it"; and I would not go any further about the inquest at all. I was advised by others—a couple of lawyers—that they did not think it was necessary to hold an inquest.

Q. Did you see Wheeler?—A. Yes, sir; I saw him that day.

Q. Did you ask him if he did it?—A. Yes, sir.

Q. What did he say?—A. He said he did.

Q. Did you sign a coroner's verdict?—A. No, sir; I made out a statement of what I did and what I heard in all these things.

Q. See if this is it. In the Copiahian of the 10th instant—that is, the 10th of November—is the following: "Verdict in the Matthews case: In regard to the killing of J. P. Matthews, it was suggested to me by T. P. Ware that I had better have a jury of inquest over the body. Before summoning the jury I was told that Wheeler did not deny the act. I saw him, and he told me he had done it, and I could make out my verdict that way. William Robertson, coroner." Is that it?—A. Yes, sir.

Q. What is your name, Robinson or Robertson?—A. Robertson.

Q. Who was T. P. Ware?—A. He is a merchant there, a partner of Mr. Parks.

Q. Mr. Ware was a Democrat, wasn't he?—A. I suppose so. I do not know what he is.

Q. There was no viewing or examination of the body by a coroner?—A. I went and looked at the body myself. I did not take any jury there at all. I went down myself to look at it.

Q. Did you see the wounds?—A. Yes, sir; I saw them through his shirt. I did not open his shirt; I saw the specks of blood through the shirt.

By Mr. CAMERON:

Q. Who besides Ware advised you not to hold an inquest on the body?—A. I think Dodds & Harris, as not being necessary at all.

Q. Who are Dodds & Harris?—A. There is Mr. Dodds right there [indicating], and Mr. Harris is another lawyer, his partner.

By Mr. FRYE:

Q. Is it the Mr. Dodds who is writing here at the table?—A. Yes, sir.

By Mr. CAMERON:

Q. Are they Democrats or Independents?—A. They are Democrats, I suppose.

Q. You know they are Democrats, do you not?—A. Yes, sir; I think I know that.

Q. When did they advise you not to hold an inquest; I mean Dodds & Harris?—A. Right then at that time, within a few minutes of the time he was killed; within fifteen or twenty minutes or half an hour, probably. They did not advise me to not do it, but they did not think it was necessary to do it, knowing all the facts as they did; that it was an expense to the county for nothing.

Q. Was that the reason they assigned?—A. Yes, sir; I think it was.

By Mr. SAULSBURY:

Q. There was no attempt on the part of Mr. Dodds or anybody to conceal the fact that Wheeler had killed Matthews?—A. Oh, no, sir.

Q. Were you not actuated partly by the fact that it would be a disturbance to the family of Matthews to go there, and it was unnecessary because the fact was known that Wheeler had killed him?—A. Yes, sir.

Q. Are you acquainted with the general character of the Democrats of that county?—A. I think I am.

Q. What is the general character of the Democrats of that county, I mean the large body of the Democratic voters of that county. Are they peaceable and quiet and good citizens generally?—A. I should think they were just as good citizens and as good men as could be found anywhere, a big majority of them.

Q. Do you believe or have you any reason for believing that any large number of the Democrats of that county approved of the violence of Wheeler towards Matthews, of the action of Wheeler in killing Matthews; do you think the large number of people approved and encouraged his killing?—A. No, sir; I do not think they did. There are very few that approve of the doings of that crowd, I think.

Q. How many persons were in this crowd or mob as they call it, of lawless men that were going about through that county; how many were engaged in that, do you suppose?—A. I really could not tell you. They passed right along by my door; I was sitting out on a bench and saw them. I think I heard it spoken about seventy-five armed men—seventy-five men on horseback. I do not pretend to say how many there were; there might have been more or less. There was a pretty smart crowd of them.

Q. You do know that a large part of the Democratic party of that county were not armed men going about armed through that county?—A. Oh, yes, sir; a good majority.

Q. I understand there are about 2,000 or 2,500 Democrats in that county. What proportion would this mob bear to the general number of the Democrats?—A. If there are 2,500 in the county I should think

that there would be 2,300 of them that were not armed at least, and probably more than that; I will say that many anyway.

Q. Did you know the character of Mr. Matthews; was he a man who was in the habit of using violent language at times?—A. Yes, sir; he was.

Q. Had he rendered himself objectionable to some persons of that county because of his violence?—A. Yes, sir; a great many.

By Mr. JONAS:

Q. Was not Mr. Ware an intimate friend of Mr. Matthews and his family?—A. I think he was.

Q. Connected by marriage with them, was he not?—A. Yes, sir; Park Ware was.

Q. Was he not with the family immediately after the killing of Mr. Matthews?—A. They went over there that day.

Q. When he told you that Wheeler admitted the killing of Matthews did he not suggest to you not to hold an inquest because he did not wish the families to be disturbed and annoyed, the women?—A. As well as I recollect this was his remark: "I do not see that it is necessary at all; the women all are there now and everything is in great confusion, and we all know and everybody knows here how he was killed, and the only thing that is necessary to know of the fact is who did it, and I suppose that Wheeler don't deny it."

Q. And you afterwards saw Wheeler?—A. Yes, sir; I went and saw Wheeler and told him what was proposed to me to do. "Well," he says, "Bill, you need not go any further with that; I done it, and you can make out your verdict in that way."

Q. And Mr. Ware as a friend of the family and the women, did not care to have them disturbed?—A. I suppose not.

By Mr. FRYE:

Q. In Mississippi under the law when there has been a homicide and the coroner finds the fact that there has been a homicide, what is his duty then?—A. Well, sir, I do not know that I know his duty.

Q. Is it not his duty to commit at once to jail?—A. Well, but Mr. Wheeler was put under bond before I saw him; he was arrested by the sheriff and had given bonds before I saw him.

Q. He was arrested by the sheriff?—A. He went and gave himself up to the sheriff immediately after doing the shooting, as I understand it, and he was up there near the court-house when I went to see him, and I was told that he had given bonds.

Q. In what sum, do you know?—A. I think it was $5,000.

Q. Do you know who the bondsmen were?—A. Yes, sir.

Q. Who were they?—A. L. F. Birdsong, Bud Higdon, and I think Mr. Ware.

Q. Was it not Ellis instead of Ware?—A. Very likely it was.

Q. Were they all Democrats?—A. Yes, sir.

Q. Prominent men?—A. Yes, sir; they are as much so as there is in the State I reckon.

Q. Do they belong to the wing of the Democratic party whom you say disapprove of the mob's proceedings there?—A. Yes, sir; I know they disapprove of it, for I have heard them say so.

Q. So that when the bail was taken there had been no investigation?—A. No, sir; there never has been any investigation.

Q. The grand jury was in session at that time, was it not?—A. No, sir; I think it was adjourned.

Q. Do you know whether Mr. Birdsong's sons played in the band there after Mr. Matthews was killed?—A. No, sir; I do not know that they did; I do not know nothing about it; I never heard no band.

Q. Does his brother-in-law, Stapleton, stay in the store with him?—A. Yes, sir.

Q. Did he play in the band after Mr. Matthews was killed?—A. I never heard any band at all that day.

Q. Where were you?—A. In the hotel; I was keeping a hotel there.

Q. Are you the keeper of the hotel there?—A. I was at that time; yes, sir.

Q. Do you remember when the long resolutions were passed at the meeting there?—A. I don't know nothing about that in the world.

By the CHAIRMAN:

Q. Do you reckon the persons who were in that company, whatever the number of it was, as among the persons you think disapprove or approve the killing of Matthews?—A. I think that most of them disapproved it. I never have heard nary a man say that he approved it.

Q. And you count them; you say that the Democrats of that county are generally people of good character and law-abiding citizens?—A. I do.

Q. And you count the greater portion of that company who rode about there as peaceable and law-abiding citizens; do you include in that company these one hundred and fifty or two hundred persons?—A. There were some as good men in it as any in the county or in the State.

Q. So that the persons who rode about in that crowd were of the same character as the general Democracy of the county, which you say is excellent, in your judgment?—A. Some was and some was not. There were some good men in the crowd that I would just as soon risk my life in their hands as not.

Q. Name the good men in the crowd that you think were fair specimens of the Democracy of the county, if you think they were.—A. I do not know whom I could name but what was a good man.

By Mr. CAMERON:

Q. Give the names of them, if you can.—A. Well, a man named Hartley; he is a good man, as good a citizen as there is in Copiah County.

By the CHAIRMAN:

Q. Do you know whether he went to any of these negro houses and took part in the whipping and shooting of the negroes?—A. I do not know where that crowd went or nothing in the world about them.

Q. Go on.—A. Emmett Spencer and Henry Spencer are good men, and Jesse Thompson.

By Mr. CAMERON:

Q. Do you mean Jesse Thompson, jr., the young man?—A. Yes, sir. John Starnes, I think he was in it. He is an old man.

By the CHAIRMAN:

Q. Is he a religious man?—A. He pretends to be; he belongs to the church.

Q. How is Mr. Ras Wheeler; is he a good man?—A. Well, Ras Wheeler is rather a wild, reckless kind of fellow.

Q. You call him on the whole a good man, a noble man on the whole?—A. No, sir; I don't.

Q. Go on with some of the other men.—A. I have seen a heap better men in my opinion than Wheeler. I don't hardly know who to go on to, there were so many in it.

Q. Can you remember any others except those?—A. I might possibly mention somebody who was not in the crowd. I don't hardly know who was in the crowd.

Q. Well, you know a good many whom you do now remember there who were in the crowd?—A. I reckon I know as many men in Copiah County as any man living.

Q. And a great many of them came to your hotel that day, did they not?—A. No, sir; nary a one of them. Wheeler came there and asked me—no; they didnt come there. They might have come around about the hotel, but nary a one of them came there to get dinner.

Q. Or to get anything to drink?—A. No, sir; I didn't keep anything stronger than water and coffee.

Q. Do you remember any others of these good men who were around in that crowd on those days; the names of any of them?—A. No, sir; I don't believe I will mention any others, for I might mention a man that was not in the crowd. I do not know who was in the crowd.

Q. Did you know anybody in that crowd whom you think were not good men?—A. Well, there was some wild boys in that crowd—wild young men; they were average men for the country, but they were not what I would call good moral citizens. They were the wild fellows, who didn't care much, and didn't think many times what they were at.

Q. What do you mean by saying they were average men of the country?—A. There was nothing bad about them. I do not know a man in the crowd that there was anything bad about; nary a one. Not one, except Wheeler.

Q. I wanted to know whether you included them in this character of the Democrats of Copiah County; whether these were a type?—A. I considered the big end of that crowd as good men as there was in Copiah County; the big end of them was as good men as can be got in that county.

Q. After the shooting, and after Hargrave had arrested Wheeler, did he let him go with his gun?—A. He kept his gun all day; he didn't arrest him at all; Wheeler went and gave himself up.

Q. Did he not take him into custody?—A. He gave bond right away.

Q. Before whom?—A. I do not know who.

Q. What magistrate or tribunal received the bond?—A. I do not know who did that.

Q. But his gun was not out of his hand all day; he kept his gun all day?—A. Yes, I think he kept his gun all day; I know he did.

By Mr. SAULSBURY:

Q. When you speak about these men who were in the country, you do not know who were visiting negro houses or anybody else?—A. No, sir; nothing in the world; I do not know anything about that.

Q. You do not approve of any such thing?—A. No, sir; I do not, of course.

Q. And you are satisfied that the very great number, a very large majority of the Democratic party, does not approve of these things?—A. Yes; I am satisfied of that perfectly. There are a very few that does. I have never heard a single man say he approved it; nary a one.

Q. Are there not in all parties in your county, both parties in your county, some bad men as well as a great many good men?—A. Yes, sir; and in all other counties.

Q. You say Bud Higdon was one of the bondsmen of Wheeler?—A. Yes, sir.

Q. Is he or not Wheeler's father-in-law?—A. Yes, sir; he is.

Q. Is he not a man of substance and property in that county?—A. Yes, sir.

Q. Regarded as a man in fine circumstances, is he not?—A. Yes, sir; just about as well as any man in that county. I reckon he can control as much cash money as any man in it.

Q. He is a quiet, peaceable citizen himself?—A. Yes, sir; entirely so; a good member of the church, and I believe a religious man.

By the CHAIRMAN:

Q. Were not two of Higdon's sons in that mob?—A. Yes, sir; I think they were; I am satisfied they were.

Q. And they were among the good men you speak of?—A. Well, they are good boys. I do not believe they would do anything that is wrong at all in any way.

Q. Did you know a single Democratic office-holder in that county who refused to take his office because the election was carried by these means?

The WITNESS. Who refused to take his office after he was elected this last term?

The CHAIRMAN. Yes.

The WITNESS. No, sir; I did not.

Q. The disapprobation did not extend that far?—A. I do not know of any.

Q. How many persons met in the company that passed the resolutions after the murder of Mr. Matthews?—A. I do not know anything about that; nothing in the world.

Q. Do you not know as a matter of common information, just as you know the character of the Democratic party, that there was a meeting held at Hazlehurst, which passed resolutions afterwards saying that if any of the Matthews family attempted to do anything about this they would hold them responsible, &c.?—A. I heard such talk, but I do not know anything about it. I do not know it.

Q. Do you not know it just as you know the character of the Democratic party—by the common speech of people there?—A. No, sir; I do not know it that way.

Q. Then you do not know how large a company this was—that meeting?—A. No, sir; I do not know.

Q. And whether they were composed or not of the good men whom you have described?—A. I do not know anything about nary a man that was in it. I do not know nothing at all about it.

F. M. BUFKIN sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In district 3, Copiah County, Mississippi.

Q. How long have you lived there?—A. About forty-one years; all my life.

Q. Were you in the Confederate army?—A. Yes, sir; I served in the Confederate army about four years.

Q. What is your politics?—A. I am a Republican.

Q. Have you been treasurer of the county?—A. Yes, sir.

Q. When?—A. I was elected in 1873, and served during the years 1874 and 1875, but went out in January, 1876.

Q. Are the treasurers elected by the people?—A. Yes, sir.

Q. Do you remember what your majority in the county was?—A. I do not remember; I think about one hundred.

Q. At the last election you were supervisor in beat 3?—A. Yes, sir.

Q. How are the supervisors selected?—A. There are five supervisors' districts. One supervisor from each district is elected by the voters from that supervisor's district.

Q. When were you elected supervisor?—A. I was elected in 1881.

Q. And how long do you continue in office?—A. Two years.

Q. What was your vote in beat 3 as supervisor at the time you were elected?—A. I could not give the vote exactly.

Q. How large a majority, about?—A. In the neighborhood of 150.

Q. One hundred and fifty majority in beat 3?—A. Yes, sir.

Q. Were you a candidate this year for supervisor?—A. Yes, sir; last fall I was, at the last election.

Q. How many votes did you get in beat 3?—A. I could not tell you how many I got.

Q. How many were counted?—A. I think about 72 votes in the whole district.

Q. How many votes did you get the election before that, in number?—A. I got in the neighborhood of 500. It might have been a little over, or a few votes under. I could not give the exact vote.

Q. Had you canvassed the county of Copiah?—A. I had, pretty thoroughly, district 3.

Q. Beat 3?—A. Yes, sir.

Q. Prior to this last election had there been an increase of the independent vote, or a decrease?—A. There had been an increase.

Q. In beat 3, how were the white men divided in politics by your last canvass?—A. I think the white vote was pretty equally divided in my district last fall, or would have been on a full vote in Copiah County. I think the vote would have been pretty evenly divided.

Q. Had there been an increase on your side from the whites?—A. Yes, sir; there had.

Q. Where do you live; near what voting place?—A. I live near Spencer's Mill. I vote at Spencer's Mill; that is my precinct.

Q. What do you know about this reign of terror which was inaugurated there and continued for about two weeks before election?—A. Well, I know this. I know there was a perfect reign of terror in my neighborhood; in my district. I know there were armed bodies of men riding to and fro all through the district.

Q. Night or day?—A. Night and day.

Q. And firing guns?—A. Yes, sir. On Friday night, about sundown, my brother, who is, and always has been, a Democrat, and I suppose voted the Democratic ticket at the last election, came to my house. My wife, however, is an invalid, and had gone. I have an invalid wife and eight little children. They had gone, and he came to my house and asked me where my family was, and I told him they had gone to Mrs. Bondurant's to see her; she lives near Matthews's store. He says, "If I were in your place I would leave the county for the present." I said, "Why?" "Well," he said, "they are going to kill you all out; I come right from Spencer's Mill;" and went on and told who was there, and told about two captains of election and a major that evening; Weeks was one of the captains, and W. W. Womack; and he went on and told me what they said they were going to do. I said, "Not a

word of that is true; if I was going to steal a horse I would not tell you of it, and if they were going to do what they said they never would have told you." But he said, "I know they are going to do it. Bill Womack had taken me out. He is a cousin of mine by marriage; he married in the Bufkin family." He said, "I know he told me the truth. He was driving," he says, "at the time."

Q. Did he say what he told him what they were going to do?—A. Yes, sir.

Q. What was it?—A. He said, "They were going to Ras Matthews's store and kill out the Matthews and run the negroes out of district 3;" that they were not going to allow the negroes to vote, and he told me, "You cannot vote, and then they are coming here." That was on Friday night. And I said, "They are not coming here." I staid all night at home, and he staid with me. One of my brothers, he said, was in the crowd out there. "I begged him," he said, "not to go with them, and he says he is going with them, and if they come to your house he is going to come on and let you know." That was Joe Bufkin. We sat up pretty well all night, and of course the next morning I was anxious to hear what I could hear. When we got up we had a snack of breakfast, and started out to see what we could hear, and we heard about this crowd; I do not remember who told us about the crowd being at Ras Matthews's store and shooting into the store. Well, I knew my family was there, and I first thought I would go out. I told him I knew it was not so if it had been I would have heard it; I knew my family would have sent me word. He went on home that night, Saturday night, and I went back to Goff's store. We were to have a meeting there that night for the purpose of stopping this crowd of bulldozers or mob from coming through our neighborhood. They had sent word they were coming, but when I went there (we were to meet there)—when I got there there was no one there, but I staid until the crowd came.

Q. What crowd; the Democratic crowd?—A. Yes, sir; that mob.

Q. What did you see of them then?—A. I saw, I suppose, about three hundred men; there might have been more.

Q. Mounted men?—A. Yes, sir; mounted.

Q. Armed?—A. Yes, sir.

Q. With what?—A. Double-barreled shot-guns and pistols.

Q. What took place there; anything?—A. Yes, sir; they came up and formed out in front of the store. I was on the gallery at the time. One of the parties just remarked to an outsider that they were going to shoot into the store and burn it up; that Frank Bufkin was inside of the store. A young man, son of Colonel Jones, came to me and told me if he were in my place he would go off the gallery; that he would not be the cause of having the house burned up. I stepped off the gallery and Mr. Dunbar came along and we walked off a piece, and we went into the woods, and he said, "You had better lay down;" and I said, "No; I would go back and hear what I could hear." The first crowd that came was about seventy-five or one hundred. By that time there was two hundred and fifty, three hundred, or may be three hundred and fifty men. They called on Joe Bailey to make a speech, but I don't know that Joe Bailey was there.

Q. Did he make a speech?—A. No, sir; he didn't.

Q. What else?—A. Some one excused himself, and they called on two or three others, and finally called on Ras Wheeler to make a speech, and he got up on a box and made a speech.

Q. What did he say?—A. I cannot repeat all that he said.

Q. Tell us about what he said.—A. I think the way he started out was, he said "We do not come out here to hurt anybody; we do not want to hurt anybody, but," he says, "I will tell you what we are going to do." He had a cap or hat on as long as that pipe [indicating]. He said, "We are going to carry district 3." That was when he first began. Afterwards, though, he said he was going to electioneer the negroes, and if they could not pursuade them to vote with them, they were going to kill out the leaders and make the negroes vote with them; or words to that effect. I could not repeat the language exactly.

Q. Did you stay at home nights during this time?—A. Part of the nights I staid at home.

Q. How many nights did you stay away from home?—A. I staid away from home the biggest part of every night for three or four weeks. I rode. Whenever the sun began to go down I always got my horse and saddled him. The saddle was not off my horse for a night for at least four weeks.

Q. Did you expect this crowd all the time?—A. Yes, sir.

Q. Had you been warned over and over again that they were after you?—A. Yes, sir, I had.

Q. Had you been active in politics?—A. Well, yes, sir. I have been a member of the Republican committee, and was at that time, and I am yet a member of the district Congressional committee.

Q. What was the effect upon that whole section of country of these nightly raids and firings, &c.?

The WITNESS. The effect on the colored people?

Mr. FRYE. Yes.

A. Oh, well, it demoralized the colored people and demoralized most of the white people. The colored people taken to the woods. On Monday evening before the election I got a note. I do not remember who sent me the note, but I got it on Sunday at any rate, and worked all day Monday in order to get the colored people out. I knew they were in the woods. The note came from Mr. H. B. Ormon to me. He told me, he says "Their work is done now; if we can get the negroes out to vote we can carry the election." But he says, "We have got to work from now until Tuesday morning in order to get them out." On Monday I started on my horse and rode all day, and after 2 or 3 o'clock I could not find a negro in his house, and didn't find one.

Q. Were they in the woods?—A. Yes, sir.

Q. Were the women in the woods, too?—A. Yes, sir; they were not at home, and I suppose they were in the woods.

Q. Did you go up to the polling place election day yourself?—A. Yes, sir.

Q. To Spencer's Mill?—A. Yes, sir.

Q. What time did you go there?—A. I suppose I went there about 9 o'clock, as near as I can come at it.

Q. Did the colored men come there and vote?—A. Yes, sir.

Q. How long did you stay there?—A. I think I staid there until about 12 o'clock.

Q. Did you and young Matthews promise them protection and stand there?—A. Yes, sir; we did.

Q. You stood there and saw that they had the right to vote?—A. Yes, sir.

Q. Why did you not stay there the balance of the day?—A. I was advised to leave. We had a little difficulty there just about 12 o'clock. Everything went off peaceably and quietly until just about 12 o'clock. Mr. Matthews lived within about 100 yards of the polling place. He

came to me and says, "The vote is about all in; let us come home and get dinner." I said "All right." Myself and him and Mr. Minchen went over to his house and laid off our overcoats. I had not taken a seat when there was a young man came from the precinct and said, "You boys ought not to have left the polls; they are raising thunder with D. C. Barlow, an Independent," and he says, "They want you to come down." I picked up my overcoat and we all went back down there. When I got there I walked up to Mr. Barlow and asked him what was the matter, and he said, "You fellows go on and let me alone." He says, "It is all settled." And Bob Tillman, an old gentleman, said, "Don't have any difficulty." I said, "I don't want any difficulty; I am after peace myself," and he and I sat down and Mr. Matthews walked up to Mr. Barlow; I don't know what conversation they had, but the first I knew of the difficulty the marshal ran out with a pistol and jabbed it against somebody. He had the pistol cocked and some one jabbed it against his side, and Minchen ran up to protect his friend Matthews, I suppose, and from that two or three started up with their pistols. There were no guns there, but the majority of the Democrats went to Spencer's house and he came out with a double-barreled shot-gun. I was a peace officer, and it was my duty to keep the peace, and I went and commanded the peace, and Mr. Matthews told me if I said so there would be no difficulty, but he said he was not going to be run over.

Q. How much longer did you stay there?—A. Well, when I got there Saturday, Ed. Matthews said, "I will go home now; let us go and get our dinner." I said, "No, you get away from here, Ed." There was a great deal of excitement, and old man Jesse Thompson said, "If you will keep Ed. Matthews away from here we will have peace." I said, "I have nothing to do with Ed. Matthews; I didn't bring him here; he lives here, and I am not going to take him away from here." I had been warned, however, that there was a gentleman in the house with a double-barreled shot gun, and he thought it was his business to kill me—a man who didn't vote there at all; his voting precinct was at Tailholt, about 9 miles from there. That was Dr. McCallum. I then asked permission of the inspectors to be allowed to go up inside of the house where they were voting and they granted me permission, and I walked up to Mr. Higdon, one of the Democratic inspectors, and asked him how the vote stood, and he said "You are about 70 ahead, as near as I can get at it." I said, "You know exactly, don't you?" He said, "Well, that is the way the vote stands"; and he says, "I advise you to go home and keep quiet. If you and Ed. Matthews go away from here I pledge you my word that you shall have a fair count and everything shall be carried on all right." With that understanding I got on my horse and left, and went home.

Q. Did you come back there again?—A. No, sir; I didn't come back there any more.

Q. Had you made any disturbance there that day at all?—A. No, sir; I hadn't.

Q. Had you done anything to lead them to say that if you went away it would be quiet?—A. No, sir.

Q. You were a peace officer, you said?—A. Yes, sir.

Q. How many votes, when they were counted, had the Independents credit for in that place, where they told you they were 70 ahead when you left?—A. I think our vote ranged from about 21 to 24; 21 was the lowest and 24 the highest.

Q. How many were the Democrats?—A. They had one hundred and some odd.

Q. In the majority?—A. Yes, sir.

Q. How many Independent white men voted your ticket there that day?—A. I think, as well as I remember, about 26 or 27.

Q. White men?—A. Yes, sir.

Q. At that precinct, about how were the white men divided?—A. About equally divided.

Q. And did a great many of the colored men vote there the Independent or Republican ticket on that day?—A. Yes, sir, the majority of the votes were colored. In our local elections we have what is called an Independent ticket, and the white people vote the Independent ticket. At the Presidential election at that box nobody voted the Republican ticket except the negroes, and not all of them, and there was about one vote different; the negroes carried the pole by one vote. It was just about equally divided between the whites and blacks, and I suppose there was about ten blacks there that day that voted the Democratic ticket.

Q. That is at one precinct. How many votes were thrown for the Independent candidates in the whole of beat 3 in that election?

The WITNESS. How many were counted?

Mr. FRYE. Yes, how many were counted; that distinction did not occur to me.—A. I think about 70.

Q. How large a majority was counted for the Democrats at that election.—A. Four hundred and some odd.

Q. Nearer five hundred than four hundred?—A. Yes, sir.

Q. What is the political division in beat 3, or what was it the day before the election, according to your canvass. How many more Independents were there in beat 3 than there were Democrats a day or two before election?—A. We thought there was about 200.

Q. Two hundred majority of Independents?—A. Yes, sir; at least 200. Really there are no Independents in beat 3; they are all Republicans. We call them Independents; we had to do that in order to get them on the ticket. We had got too weak in Copiah County; but after 1875 we kept adding to our number, and finally changed the name and called it an Independent party; but I do not suppose really there is an Independent Democrat in district 3. There is about 200 Republican majority in district 3.

Q. So that while they were called Independents they were really Republicans?—A. Yes, sir. But that is not so in other portions of the county. There are Independent Democrats in Copiah County.

Q. When you ran for treasurer of the county you ran as a square Republican?—A. Yes, sir. There were only about 13 white men that voted that ticket.

Q. And you had a majority, of course?—A. Yes, sir.

Q. Of about 100?—A. Yes, sir.

Q. That was in 1873?—A. Yes, sir.

Q. Now, at the last election had the Republican or Independent party within ten years increased or decreased?—A. They have increased.

Q. How increased?—A. Well, I will take my own district, right where I live. I live in district three, where I was elected before, and in my large district there was only about three white men that voted the Republican ticket in 1873, while at my box in 1883 there were between 25 and 27. I think about 27. At Tailholt, another voting precinct, there would have been about 29 white Republican Independent votes, and just about the same increase at the other two boxes. No, I will

take that back. I do not think there was any increase at the Ferguson box. I do not think there was a white Independent or Republican who voted there, or would have voted there had everything gone on square. But I think in ten years there was at least 70 or 75 gain of white Republican votes in one district.

Q. How much gain should you say there was to what is called the Independent vote between 1873 and 1883; how large does your canvass show that the Independent white vote would have been in Copiah County at this election?—A. I think the white vote would have been 500 or 600 Independents.

Q. How many Democratic colored men were there in the county?—A. I do not think there could have been over 100.

Q. Was there as many as that?—A. I do not think there was, but that is giving them all that they claim and a good deal more. I do not know of but 10 or 15 in the county. There could not have been over 100.

Q. If there had been the usual election without any bulldozing, and a fair count, in your judgment, how would the vote have stood in Copiah County?—A. I think the Independent ticket would have been elected by about 500 majority. I think that from this fact: If the Democratic party could have carried it without this bulldozing and murdering and midnight marauding, they would have done it.

Q. They do not do that unless it is necessary, then?—A. No, sir.

Q. They don't do it for fun?—A. No, sir.

By Mr. SAULSBURY:

Q. You said you left the voting place, Spencer's Mill, about 12 o'clock, and up to that time there had been quiet and order, and no disturbance whatever?—A. If you understood me to say that, you misunderstood me. I said we had a little difficulty there, or row.

Q. When you left you went to Ed. Matthews's, did you?—A. No, sir; I went to Frank Bufkin's and went home, where my wife was. I didn't go to Mr. Matthews at all. Mr. Matthews lives right there in sight, not over 150 yards.

Q. Is he the gentleman who testified yesterday that he had five double-barreled shot-guns in his house?—A. I do not know what he testified to. I expect he had the guns, though.

Q. You speak about this marauding and firing guns, &c. Were there ever Republicans who fired any guns in that beat or precinct, during the fall or before the election; a week or ten days before the election?—A. I do not think there were many. I could not say that, because I don't know.

Q. Did you not, yourself, fire some guns before that time?—A. I have, in my life.

Q. Yes; but just before the election?—A. No, sir; I did not. I did not have a gun.

Q. Did you not say, in the presence of a number of gentlemen, in the town of Hazlehurst, since the election, that you and another man went to Ormon's house and shot guns, and he ran off?—A. No, sir; I didn't.

Q. Did you not say in the presence of a number of gentlemen in Hazlehurst, that the night after the election that Ormon came to your house, or the day after the election, or shortly after, he came to your house and said that there had been one hundred and fifty men at his house who shot into his house the night before, and asked you what to do?—A. I can tell you just exactly what it was. I did not say that.

We did not go to his house with shot-guns either. If you want me to tell you what transpired and what I did say I will tell you.

Q. That is just exactly what I want.—A. There was a meeting of the board of supervisors on the 27th of November, preceding the election. We were advised not to go there. I was, for one, by all my friends. Mr. Jones didn't go. He and I met up near my house and we decided that we would not go. I told him I didn't think it was safe to go, but I told him I would write to Mr. Jones, the other Independent member of the board of supervisors, and inform him that there would be no meeting; that I didn't propose to work under the mob, and just let them come in on the 1st of January and run that thing. I did as I agreed to do. But I sent up a man that morning to know whether the board did meet or not. I told one of my negroes to go and see if the board was in session, and if the board was in session to come and let me know, as I wanted to go if the board was in session, and he told me that the board was in session and Mr. Jones was there. I went up next morning. Mr. Meade, I believe, is the first gentleman who said anything about this. He and I have always been friends when we met. He came out and shook hands with me and said "How is beat 3?" I said, "Beat 3 is all right," and we went over to to take a drink or two, and I got lively, and he felt his whisky pretty well, too. I said I would have as much of that fun as he had. He wanted to know if we lay out in the woods any, in a joking way, to see what I would say, and I told him, I didn't lay out, but I would tell him what I did do. Bondurant and I went home one night about 12 o'clock, and Ormon lives there within 100 yards of my house in a negro cabin on my place, and young Bondurant regarded "Print" Matthews as being the first friend he had in the world; and he was just back from Hazlehurst, and he was crying and didn't know what to do, and I says, "Come in and let us get a drink," and I says, "We will have some fun. We will get our pistols and make Ormon wallow like these negroes there." We took a drink and then took another drink, and I picked up a pistol in each hand, and I walked out on my gallery and fired off the pistols. Joe had two pistols and I two, and we shot fifteen or twenty times, but I was in my own yard and in my own house. Ormon did take to the woods. He said there were one hundred and fifty men about his house who fired into it and he took to the woods, and I told him who it was.

By Mr. FRYE:

Q. That was after the election?—A. Yes, sir; after the election.

By Mr. SAULSBURY:

Q. Did not Ormon leave the country after that?—A. Yes, sir; he left the country.

Q. Did you advise him to leave?—A. No, sir; I advised him to go to Mr. Matthews's store and attend to his business. He is employed by Mr. Matthews.

Q. He did leave, though, after those pistols were fired?—A. Yes, sir; and he left after those guns were fired. He happened up at Matthews's store when that mob was there and fired into the house. It was after the pistols were fired, and it was after they fired into that store, too.

Q. Did you not say to these gentlemen you were talking to in Hazlehurst that when you went to Ormon's house he ran out of the back door, and that you shot your gun?—A. No, sir; I did not because I didn't have any gun, and have not had for a number of years; and I didn't go out of my own yard.

Q. And you did not tell these gentlemen that you went there?—A. I don't see why I should; it was no advantage to me to tell a lie about that.

By the CHAIRMAN:

Q. Mr. Orman was a Republican or Independent?—A. Yes, sir; he was a Republican.

By Mr. FRYE:

Q. Were you present when Burnet was shot?

The WITNESS. In Hazlehurst?

Mr. FRYE. Yes.

The WITNESS. I was.

Q. Did you see it?—A. Yes, sir; I did.

Q. You may state what took place.—A. I will tell you all I know about it. Mr. Burnet and J. P. Matthews were going to Jackson in regard to having a county commissioner of election appointed to represent our party. They went up, I think, on Monday or Tuesday night. When they went up the board of supervisors was in session. Mr. Burnet told me when he was coming back, and I got up and didn't see Burnet—he roomed and boarded at the same hotel I was stopping at. I didn't see him when I got up, and I went up town to get a shirt, and I was a little late in town, and met several parties and talked with them, and as I came on back with my saddle-pockets I saw Burnet and Hart talking together at the door. I thought I would go and shake hands with Burnet and ask him what success he had had at Jackson. I saw Burnet and Hart talking. I didn't pay any attention to it, but I saw he was engaged, and I thought I would go into the hotel and see him after breakfast; just about that time I heard Hart say "You are a God damned liar," or something to that effect; as he said that he started to draw his pistol. I knew they were personal friends because I had heard them talking there, I believe, the night he went off; as he said that Burnet had his hand against a post, and Burnet threw his hand down in front of him and struck at Hart; Hart broke and ran and Burnet did, too; both went the same way for two or three steps and Burnet then started to go into the hotel; as he turned to go into the hotel Hart turned and shot him.

Q. Did you see Hart draw his pistol?—A. Yes, sir, I did.

Q. While he was in the act of drawing his pistol, after he had commenced to draw his pistol, Burnet struck him with a knife?—A. He had his hand on his pistol when I first saw him; when I first walked up there he had his hand on his hip pocket and I suppose on his pistol; I could not say that Burnet struck at him with a knife; when I got there Burnet had a knife in his hands, and I suppose he struck at him with his knife.

Q. Burnet started to go to the hotel?—A. Yes, sir; he started into the hotel, and I think he had one foot on the steps when he was shot; I know he had turned to go in there and made one step that way.

Q. So that Hart fired at him after they had separated?—A. Yes, sir.

Q. How far was Burnet off from Hart when he fired?—A. I think about as far as from here to that corner over there [indicating about 20 feet].

Q. Was anybody there when you saw them first together?—A. When I first saw Burnet and Hart I saw Hargrave and Bailey, but I could not tell you whether they were right with them or below or above, but

they were right there, somewhere in that immediate neighborhood, where these two gentlemen were talking.

Q. When Mr. Hart was bound over by the judge were you ever called before the grand jury to testify?—A. No, sir.

Q. Was Burnet called before the grand jury, or was he sick from wounds?—A. I know he was not sick. I never heard that he was called before the grand jury. That was about the time of the election.

A. W. BURNET recalled.

By the CHAIRMAN:

Question. What is the method, according to the law of Mississippi, and the practice, of appointing challengers?—Answer. The law simply states that each party shall have the right to appoint a challenger, and these challengers have a right to stay inside of the polls to challenge voters.

Q. They are the only persons except the election officers and the person actually voting who are admitted to the room where the voting takes place?—A. Yes, sir; and the executive committee of each party select their challengers.

Q. And the officers of election recognize as the person entitled to come into the room the person appointed by the executive committee of each party?—A. Yes, sir; and for this box we selected J. P. Matthews as a challenger on the part of our party.

By Mr. SAULSBURY:

Q. Have you ever examined or read over a reported interview with yourself published in the National Republican, of the city of Washington?—A. Yes, sir.

Q. Are you correctly reported in that paper?—A. Pretty near correct; yes, sir.

Q. There were other interviews also published in the papers in Washington, some of them?—A. There was only one that I recollect of.

Q. One in which you have reference to a letter that you received from Mr. Ryles?—A. I didn't receive any letter from Mr. Ryles.

Q. You do not know of any other interview than the one published in the National Republican that was published?—A. No, sir.

Q. Was there more than one reported interview in that paper?—A. I don't think there was.

Q. Did you, in any interview which was published, or in any interview which was not published, represent that the Ryles-Penn difficulty, which occurred about Christmas, was of a political character?—A. No, sir; I did not

Q. What did you say about that difficulty?—A. I simply showed the editor the letter which I had received from there, stating the circumstance that four or five men had shot at Ryles. It was a friendly letter. It was about Christmas time. Here is the substance of it: That letter stated that Hans Penn, the man who had served the resolution on Matthews, had got into an altercation with Ryles, and that he had shot at Ryles, and in the altercation several others came in and took a crack at him, and some friend interposed and kept a third man from shooting him, and that Ryles was a Republican and always voted for Matthews.

Q. Did the letter which you exhibited to the editor of the paper state that it was of a political nature at all?—A. Yes, sir; the letter stated this, that is my recollection of it. I can get the letter and I don't object

to your reading the letter. The letter stated that on the investigation Ryles was immediately apprehended. On the investigation of that case the evidence proved point-blank that these men had assaulted him; that without provocation they had gone there and made an assault on him and shot him, and when the evidence developed the fact that these Democrats were the aggressors, that the men were immediately discharged. That was the substance of the statement I made. That is my information, that that case was dismissed.

Q. Who was that letter from?—A. That letter was a private letter of mine, and I don't think I would give it. It would probably endanger the friend who wrote me the letter from there.

By Mr. FRYE:

Q. Is that about anything that has been testified to before the committee?—A. No, sir; not at all.

WILLIAM L. MITCHELL, sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Hazlehurst, Copiah County, Mississippi.

Q. Have you lived there long?—A. I have only lived in the town since the 11th of August; I have lived in the county previously four or five years.

Q. What is your occupation?—A. I am running the local paper there.

Q. Which paper?—A. The Signal.

Q. Are you editor of it?—A. Yes, sir.

Q. Were you in Hazlehurst just previous to the election in November, 1883?—A. I was.

Q. Were you present at the meeting Monday night at the court-house when Major Barksdale made a speech?—A. Yes, sir.

Q. Did you hear that speech?—A. Yes, sir; I did.

Q. What was the character of that speech?

The WITNESS. The tone of the speech you refer to?

Mr. JONAS. Yes.

A. Well, I did not think that he said anything that was calculated to arouse the feelings of any one. It was urging them to the performance of their duty on the following day.

Q. It has been stated here by a witness that Major Barksdale said that he trusted the people would hang Frank Bufkin so high that the birds of prey would not be able to bury their beaks in his body. State whether or not you heard him make use of an expression of that kind.—A. I do not think I heard the name of Bufkin or that expression that you use.

Q. Did he use any such figure of speech, and if so, what did he say exactly?—A. He used a figure of speech, and brought out—that was the last part of the language that he used. There was something in addition to it, but I do not remember it now. But he was speaking generally as to parties; that the Democratic party must bury the Republican party, figuratively.

Q. Did he use the words "Republican party" instead of "Bufkin" in connection with that simile?—A. Yes, sir; I did not hear him use the name of Bufkin.

Q. Did he use the name of any individual as connected with the opposite party?—A. No, sir; not that I heard.

Q. Some of the witnesses stated also that he said that, looking into

the countenances of the armed men that he had seen that day, he saw a determination to do their whole duty, and to carry the election regardless of the issue. Did he use any such expression?—A. He made no reference to shotguns that I heard at all. He urged upon them the importance of carrying the election; that he expected every man to do his duty, and that he saw from their faces that they were determined to do that.

Q. Whose faces?—A. The faces of the audience that was around.

Q. He was alluding to the audience then present in the court-house?—A. Yes, sir.

Q. Were any of that audience armed?—A. I did not see any armed.

Q. They had no shotguns?—A. No, sir.

Q. No arms were visible?—A. None exhibited that I saw.

Q. That was a meeting of the people of Hazlehurst?—A. Yes, sir; Major Barksdale had an appointment there to speak that night, and he was addressing them at the court-house.

Q. Were you in town on Monday when this body of armed men which has been alluded to came into the town?—A. Yes, sir.

Q. Do you know Mr. J. L. Meade?—A. Yes, sir.

Q. Chairman of the Democratic executive committee?—A. Yes, sir.

Q. Do you know whether or not he was with that crowd of men; if so, state when he joined them, if within your knowledge, and for what purpose, if within your knowledge.—A. It might be proper for me to state that Mr. Meade was connected with me in the paper at the time. He was editor at that time. I have become editor since. He was in the office, and asked me for his overcoat. I asked him where he was going, and he said, "I am going out to meet these men who are coming in." He said it was reported they were about a mile off. I gave him his overcoat, and he got on his horse and went out to meet them. He was going out to meet them; I suppose he met them about half a mile out. That is a supposition of my own.

Q. Did you go with Mr. Meade and meet them with him?—A. No, sir; I did not.

Q. Did Mr. Meade report to you what took place when he met them?—A. No, sir; he told me his object in going out before he left.

Q. What did he say?—A. He said he wanted to go out; there had been some excitement on account of warrants or affidavits that had been made out, and he went out to allay any excitement and to caution those men on account of sickness, he said, in Mr. Matthews's family; he didn't want any excitement, and wanted to allay any, and went out for that purpose.

Q. His mission was one for peace and conciliation in the interest of order?—A. Yes, sir; from what he said.

Q. Did you hear afterwards what took place between Mr. Meade and that body of men or their leaders?—A. Yes, sir; I was present at a—it was not a meeting—and I do not know what you would call it, that took place back of the court-house. I went around, as a matter of curiosity, and they were discussing the passage of some resolution in regard to requesting Mr. Matthews to absent himself from the county for twenty-four or forty-eight hours.

Q. Not to vote on the day of the election?—A. Yes, sir; not to vote. I do not remember whether it was for twenty-four or forty-eight hours. But they discussed it a while, and Mr. Meade finally said he had made a promise to Mr. Matthews that he should not be molested, and if they went any further that he was done, and would have no more to do with it, and he rode off and came down town.

Q. He rode off after they had passed that resolution?—A. He went off before they acted on it, and said he would have nothing more to do with it.

Q. Did he have any further connection with them, to your knowledge, after they passed that resolution?—A. I did not see these men any more. They dispersed; some went to the court-house, and around town, and they did not meet any more until they got ready to go home. I was in the office, and did not see them when they went out of town.

Q. Do you know the people of Copiah County well?—A. Yes, sir; tolerably well.

Q. Do you know the members of the Democratic party well?—A. Yes, sir.

Q. About how large is the vote of the Democratic party of that county?—A. I do not know that I could tell that. A great many Republicans voted with Democrats that time. We carried the county by about 2,000 and something. We considered our majority there between 500 and 1,000—the Democratic majority.

Q. How many white Democrats about are there in Copiah County?—A. I do not know that I could answer that. The majority is, we think, about 1,000, and the white people constitute the Democratic party there principally.

Q. A good many Republicans, you say, voted with them this time?—A. Yes, sir.

Q. What is the character of the Democratic party—the people comprising the Democratic party—in Copiah County for peace and order and conservatism?—A. I do not think there is a more law-abiding people in the State than in Copiah County. It is one of the oldest counties, and there are many intelligent men living there. It is a good farming county, and it is composed of an intelligent farming community generally.

Q. Are most of them church-going people?—A. Yes, sir; I believe they are.

Q. How large a number of men were under arms in this armed mob, as it has been called?—A. I never recognized that there was a mob there; there was a procession of men.

Q. I am alluding to that procession of men?—A. I suppose between 75 and 100. That is what I thought it would average.

Q. Was that about the whole number of the Democratic party of Copiah County—75 or 100—who were out under arms on horseback, and making these trips through the country and into town?—A. Yes, sir; I think so. I do not know what transpired before they came into town or how many they had with them. The body of men might have increased or decreased before they came into town, but I think there were about 75 or 100 in town.

Q. Do you know Mr. Hargrave, the sheriff of that county?—A. Very well. I was with him in the army and under him.

Q. What is his general character and reputation as a man and citizen?—A. He stands as high as any man in the county.

Q. Is he a violent man?—A. No, sir; he is a very conservative, mild man.

Q. You consider him a law-abiding man and a good citizen?—A. Yes, sir; and a strict member of the church.

Q. That is his reputation in the community?—A. Yes, sir; that is his general reputation.

By the CHAIRMAN:

Q. Were there not two meetings that Major Barksdale addressed; one

of them outside?—A. His appointment was at night. In the day time he came out on the balcony of the court-house and made a few remarks to the procession as it was passing.

Q. That procession, as you call it, was this body of armed men?—A. Yes, sir.

Q. What did he say to them?—A. He did not speak more than five minutes to them. It was just a play upon the names of the different candidates more than anything else; humorous remarks.

Q. Did you hear what he said?—A. Yes, sir; I did.

Q. Did he not tell them that he was glad to see by the determination in their faces that they meant to carry the election?—A. Well, I do not remember. Yes, he said they must carry the election.

Q. He told this procession that it must carry the election?—A. Yes; sir.

Q. Did he not tell the procession also that he was glad to see by the determination in their faces that they proposed to do it?—A. My impression of what he intended to convey or said was not anything that would be construed as an encouragement of a mob.

Q. Well, by processional methods we will say, then?—A. I did not consider it to mean that.

Q. Have you a file of your paper here, or any of the numbers at that time?—A. No, sir.

Q. Did you have any article in your paper before the election denouncing the mob, or procession, as you call it?

The WITNESS. Before the election, do you mean?

The CHAIRMAN. Yes.

A. No; that transpired before my paper came out. We go to press on Wednesday evening.

Q. But had you not heard of the attacks upon these colored people, the killing of Tom Wallis, and the whipping of Fortner, and the going to the houses and shooting of others, probably a week or two before the election?—A. Yes, sir; I have heard of it.

Q. Did you state the facts in your paper?—A. I believe I did. I generally hunt up all the local news I can.

Q. Are you quite sure that there was anything about it in your paper?—A. I do not remember. I would have to refer to the files to tell you what we wrote on it.

Q. Did you not write this article in your paper three days before the election, in substance, that the colored people in beat 3, if they could not vote the Democratic ticket, had better stay at home on the day of the election, for the sun might be hot that day?—A. Something to that effect; yes, sir.

By Mr. SAULSBURY:

Q. You never encouraged in the columns of your paper any violence to negroes or other people?—No, sir; our paper is strictly Democratic, but we never countenanced or encouraged anything of that kind.

By the CHAIRMAN:

Q. Did you not write another editorial in your paper stating that this was a white man's Government, and the colored people must learn that the white men were to rule?—A. I do not know; it might have been a little paragraph in the paper. Mr. Meade was editing the paper. I do not remember whether it was said or not.

Q. You speak of this as not being a mob. Did you not understand that they were coming into Hazlehurst for the purpose of doing violence to Mr. Matthews?—A. No, sir; I did not.

Q. What did you understand when Mr. Meade told you that he was going to see the mob, and told Mr. Matthews he would protect him? From what would he protect him?—A. These men were very much exercised on account of those affidavits which had been made against them.

Q. The affidavits for whipping these colored people?—A. I never saw or heard the affidavits; it was after these occurrences took place; the affidavits were made out by Dr. Barlow, charging them with those offenses; Mr. Meade went out there for the purpose——

Q. What did you understand there was danger of their doing when Mr. Meade went out?—A. I did not hear that they intended to do anything.

Q. But Mr Meade said to you that he was going out because he had promised Mr. Matthews to protect him?—A. Should anything be done.

Q. Did you not understand that that protection was to be against this mob or this procession, what they might do?—A. Yes, sir; if they attempted to do anything.

Q. Then you supposed it was a mob, a procession, consisting of 75 or 100 armed men, who, unless they were dissuaded, were liable to do violence to Mr. Matthews, did you not?—A. No, sir.

Q. What did he require protection for?—A. Why in the event that they should attempt any such thing. I did not understand that they were intending, or did intend, to do anything.

Q. Did you not understand that they afterwards passed resolutions advising Mr. Matthews to leave town and not to vote?—A. Yes, sir; I understood that afterwards.

By Mr. CAMERON:

Q. I will ask you to give the names of as many as you can of the gentlemen who were in that procession.—A. I probably could take them by families and tell better.

Q. Very well, take your own course.—A. I do not know that I could tell many of them distinctly. There were three or four of the Baileys and the Davises, the Granberries, the Starnes and the Browns, and several others, and one or two Thompsons. Is that enough?

Q. Any others that you can remember, you may give their names.—A. I do not remember now. They were just riding through at the time I saw them, and I just noticed those.

Q. You were present when you heard Major Barksdale address them for about 5 minutes?—A. Yes, sir.

Q. Was there a man named Sheldon in the procession?—A. No, sir; not that I know of. There are some Sheltons living in the county; I do not remember seeing him.

Q. Can you remember any others; if so, give their names?—A. Well, there were some of our citizens in town there. I do not know whether they came in with them or went out and met them and came in. There was Mr. Birdsong, Penns, and Higdons. I do not know that I could mention any others. I knew probably three-fourths of them in the procession, if I could refresh my mind.

Q. Have you mentioned all that you can now remember?—A. Yes, sir; right now.

Q. Do you include all those that were in that procession among the peaceable and law-abiding citizens of the county?—A. Yes, sir; I do. I do not know what their opinion might have been in regard to the killing of Matthews.

Q. I did not ask you that.—A. But as to their general character—if you mean as citizens.

Q. Yes, I mean that.—A. Well, I think they were some of the best men we had in the county.

Q. Are they men of good standing in the county where they reside?—A. I think so.

Q. And good standing in the Democratic party?—A. Yes, sir.

By the CHAIRMAN:

Q. I would like to ask one other question. Did you not regard it as a flagrant outrage for a company of armed men to demand of a free American citizen to leave his home on election day?—A. I can speak for myself personally. I did not indorse it at all.

Q. Did you not regard it as a flagrant outrage?—A. I do not know that I had formed an opinion in regard to it. I did not indorse the proceedings—the killing of Matthews.

Q. I did not ask that. I was speaking of the resolution which they passed within your knowledge—whether you did or did not regard it as a flagrant outrage for them to demand of an American citizen that he should leave his home at election time and not vote?—A. Does not that answer sufficiently?

Q. I understand your answer to apply to the killing of Matthews. My question is as to the resolution before the killing, demanding that he should leave home at election time.—A. I think the violation of any of the criminal laws is an outrage.

Q. Did you express to those people at the time that they passed that resolution, that opinion?—A. No, sir; I did not participate in the resolution at all.

Q. And you expressed no opinion?—A. No, sir.

Q. Did you in your paper denounce that act at any time?

The WITNESS. Denounce the passage of the resolution?

The CHAIRMAN. Yes.

A. I did not. I was not editor of the paper at the time. Of course we did not denounce it, because it was passed by a mass meeting, and Mr. Meade was one of the mass meeting, and was chairman of the committee and editor of the paper, and endorsed those resolutions, I suppose. His opinions and mine were probably different on the subject.

By Mr. SAULSBURY:

Q. Do you refer to the resolutions passed before the death of Mr. Matthews?—A. I mean the resolutions passed by the mass meeting.

Mr. JONAS. Mr. Hoar is referring to the resolution passed by these armed men, inviting Mr. Matthews not to vote. Mr. Meade did not approve of that, did he?

The WITNESS. I cannot answer that question.

The CHAIRMAN. My question was as to whether the paper denounced that; he said they did not. But in regard to the other resolutions, I understand that Mr. Meade, the editor of the paper and the chairman of the Democratic committee did approve the resolutions passed after Mr. Matthews's death. You say you and Mr. Meade differed about that?—A. I say we might have differed. He approved the passage of the resolutions; he was chairman of the meeting.

By Mr. CAMERON:

Q. And signed the resolutions as chairman?—A. Yes, sir.

By the CHAIRMAN:

Q. How many of this mob, or procession, as you call it, were at this mass meeting?—A. I cannot say. A great many went home, and some remained.

Q. Was Ras. Wheeler at that meeting?—A. Yes, sir; I think he was

By Mr. CAMERON:

Q. Did you publish Major Barksdale's speech or a synopsis of it in your paper?—A. I think it was published, but I would not be positive. I think Mr. Meade wrote an article on it, but I would not be positive about that.

By Mr. JONAS:

Q. Did you say that you knew anything about these resolutions that were passed by the mass meeting after the death of Mr. Matthews?—A. Yes, sir.

Q. Were you present at that meeting?—A. Yes, sir.

Q. Did you know anything as to the causes for holding that meeting?—A. I did not until we moved up to the court-house.

Q. What took place then; what did you learn then as to the reasons for calling that mass meeting?—A. I can give you the substance of what the chairman in taking his seat said was the cause. He said that there had been rumors that the relations of J. P. Matthews intended to avenge his death, and to protect the neighborhood from violence the passage of those resolutions was necessary, and they were drawn up in the interests of peace and quiet. That was about it.

Q. Do you know whether these rumors were generally prevalent in Hazlehurst or not?—A. No, sir; I do not. I did not know anything of them until the meeting.

Q. What was the character of the Matthews family generally for peace and the observance of good order?—A. I have not been intimate with the Matthews family, although I have known them a good deal, but I have not heard them express themselves like many have. J. P. Matthews personally was a very clever, social man, but the people there regarded him as an agitator.

By Mr. CAMERON:

Q. Had you heard the rumors to which Mr. Meade referred in his speech at that mass meeting, before he announced it at the meeting?—A. No, sir; I had not. I think, though——

Q. I do not ask you what you thought; I simply ask you whether you had heard those rumors before he announced it from the chair?—A. Not the rumors that brought out those resolutions. I had heard rumors before that, some time.

Q. What rumors had you heard?—A. About the substance of the statement to me that Mr. Matthews had had his brothers and sons sworn to avenge his death. Those are the rumors that I heard.

Q. Who informed you of them?—A. I do not know; it was just street rumor.

Q. But if there was a rumor, somebody must have said so?—A. I cannot say; I do not remember.

Q. When did you understand that he had them sworn to avenge his death?—A. That was some six months ago, I reckon, or two or three months—well, it was longer than that. The first time I heard it was at the time that he and Judge Mayes had some difficulty in regard to some speaking. I was not on the ground at the time, and really did not

know much about that point at the time. I was living in the adjoining county, and I just heard it as a rumor.

Q. What I wanted to get at was exactly the rumors you did hear.—A Well, that was it—that Mr. Matthews had had his sons and brothers sworn to avenge his death.

Q. When was this Mayes difficulty that you spoke of; was it not in 1875?—A. I cannot tell; somewhere along there; three or four years ago; some time ago.

Q. And that he had his boys and his brothers then sworn to avenge his death?—A. Yes, sir.

Q. Do you know how old his boys are now?—A. No, sir; I can guess at it.

Q. You may guess at it.—A. His son seems to be nineteen or twenty.

Q. The older son?—A. Yes, sir.

Q. The other?—A. He looks like he might be seventeen, or about that.

Q. He would not have been very formidable at that time, being only eight years old?—A. No, sir.

R. B. MIMS sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In the western portion of Copiah County, 24 miles from Hazelhurst.

Q. In what beat?—A. Beat 4.

Q. How long have you lived there?—A. I have lived in the county about 15 years.

Q. In that beat?—A. I moved in that beat in August of last year.

Q. The August preceding the election?—A. Yes, sir; I have been living at Crystal Springs for fifteen years, in the same county.

Q. What is your business?—A. I am farming and merchandising.

Q. Were you in beat 4 at the election in November, 1883?—A. Yes, sir; the day of the election.

Q. What was the result of the election in that beat; do you remember?—A. It passed off very quietly at Green's Store, where I voted.

Q. Had there been any disturbance in that beat previous to the election?—A. No, sir; none at all.

Q. What party carried the election at that beat?—A. The Democrats carried the election by a small majority. It was largely composed of colored people, especially around in my neighborhood.

Q. Did any of the colored people vote the Democratic ticket?—A. Yes, sir; they did.

Q. How many do you suppose?—A. I have no idea. I know the number we had in the club. We had about 27 men enrolled in our club. They were regular members; organized themselves.

Q. They organized the club?—A. Yes, sir.

Q. Attended the meetings regularly?—A. Yes, sir.

Q. And called themselves Democrats?—A. Yes, sir.

Q. You say there was no violence or disorder in that beat?—A. No, sir; none at all. I had 8 or 10 men come to my place for tickets, and I gave them to them, and a man named Willis Jones took the tickets away from them and told them that they should not vote them, and gave them other tickets.

Q. And gave them the Independent ticket?—A. Yes, sir.

Q. Then the only instance of anything of the kind was on the part of the Independent party?—A. Yes, sir.

Q. Well, these 27 colored Democrats voted the ticket, I suppose?—A. Yes, sir. It seemed to be the disposition of the colored people in that country not to register, and really they introduced resolutions in this club asking the colored people not to register; but a good many of them—17 or 18 of this club—did vote the ticket. I saw them. They voted an open ticket.

Q. A good many of the colored men were not registered?—A. No, sir; they were not registered.

Q. Was there any interference with their registering?—A. No, sir; none at all. We insisted upon their registering.

Q. Did they have to go to Hazlehurst to register?—A. Yes, sir.

Q. It is 24 miles to Hazlehurst?—A. Yes, sir.

Q. Have you any knowledge as to how those who were not registered would have voted?—A. Well, just before the election Mr. Matthews made an appointment to speak there, and these negroes in our club introduced a resolution by themselves requesting Mr. Matthews not to come there. Whether it was served or not I do not know. Mr. Burnet came down on the occasion. I was there present myself, but I do not think there were over three negroes present that came of their own accord, outside of our own neighborhood, to hear the speeches. It was a total failure on their part.

Q. Was there any interference or attempt to keep them away?—A. No, sir.

Q. Any interference with Mr. Burnet in speaking?—A. No, sir.

Q. Did you hear his speech?—A. Yes, sir.

Q. Of what character was his speech?—A. I cannot tell you; I did not pay much attention to it.

Q. Did you hear Mr. Matthews speak?—A. No, sir; Mr. Matthews did not come out.

Q. Do you know Mr. Burnet well?—A. Yes, sir; pretty well.

Q. Have you known him since his residence in the county?—A. Yes, sir.

Q. What is his general character in the county for truth and veracity?—A. Well, that is rather a delicate question.

Q. It is one I would like to have answered?—A. He is a man of no character at all in our place.

Q. What is his character for truth and veracity; do you know?—A. Well, sir; I really do not know. I cannot state any real facts, but it is very hard for me to believe him on oath where he is interested.

Q. Do you think that sentiment in regard to Burnet is prevalent in your county?—A. Yes, sir; I think so, and I think it will be proven here before you get through.

Q. Did youknow J. P. Matthews, well?—A. Yes, sir; I knew him very well.

Q. What was his character as a man of peace, or otherwise, in political matters?—A. Socially I was very friendly with Mr. Matthews. I remember at the last camp-meeting which was held near our town where I then lived, Crystal Springs, last summer, I met him, and I had a good many conversations with him. We were talking about the coming election, and about that time two young ladies passed us, very handsomely dressed, and I complimented them; I did not know them, and he remarked that they were his daughters; and the idea struck me forcibly, and I remarked, that a man with as nice a family as he had, instead of taking a part against the whole country and a majority of the

best people of the county, as he had always done in politics, that I thought he had made money enough and ought to retire and come out on the decent side. He just remarked to me that he never could; that the whole business was coming over on his side and that he would carry that election—it did not make any difference what the cost. That is about the way it stood. That was before there were any nominations made in any of the conventions.

Q. Was he a man of violent or peaceable methods in politics?—A. He was considered a pretty vicious man in politics.

Q. Did you ever hear him make any speeches?—A. Yes, sir; I heard the second speech in the canvass.

Q. What was the character of the speech?—A. There was nothing objectionable in that speech. I had heard of the former speech, but did not hear it.

Q. From persons who were present?—A. Yes, sir.

Q. What was their report as to the former speech?—A. It was considered a very inflammatory speech. He got up and denied having made anything of the kind. The second speech was about the same speech that he made.

Q. He stated in his second speech that it was about the same as the first, and denied that he made an inflammatory speech the first time?—A. Yes, sir.

Q. What was the general report about his first speech?—A. I do not remember. I was about that time moving to another part of the county, and happened to be in Crystal Springs, and went down there.

Q. You only know it was considered a very inflammatory speech?—A. Yes, sir.

By Mr. CAMERON:

Q. Where do you now reside?—A. At Carpenter's Station, on the Jackson and Natchez Railroad.

Q. How long have you resided there?—A. Since August.

Q. Where did you reside previously?—A. In Crystal Springs, Mississippi.

Q. How long have you resided there?—A. Fourteen or fifteen years.

Q. What was your business there?—A. I was a merchant.

Q. Did you, or not, fail?—A. Yes, sir.

Q. When did you fail?—A. In 1879.

Q. For how much did you fail?—A. For about $2,500.

Did or not Mr. Burnet, as an attorney for some of your creditors, commence suit against you and attach and get possession of your account books?—A. No, sir; I do not think he did. I think the account books were brought into court without being attached.

Q. They were brought into court by virtue of the attachment, and in consequence of it, were they not?—A. Yes, sir; I believe so.

Q. Was Mr. Burnet an attorney in the case?—A. He had a little claim, I think, of $115 or $120.

Q. Were you not examined in regard to your books, and in regard to your business affairs in Mr. Burnet's office?—A. No, sir.

Q. Did not Mr. Burnet have the books, and put you on the stand for the purpose of getting an explanation of your books, and you were not able to explain them, and called on your brother to assist?—A. I do not know that Burnet—we were both put on the stand and explained the cases, and it was decided in favor of our assignment in a very few minutes after the jury were locked up.

Q. Who have you heard state that they would not believe Burnet

under oath?—A. I can give you the names, and could go home and give the statements of almost any number.

Q. I ask you now.—A. I have heard Mr. Dodds here say so this morning, and I have heard Douglas E. Wilkinson, a merchant of Crystal Springs, say so.

Q. Who else?—A. I do not remember exactly.

Q. I do not ask you to remember exactly; if you remember at all?—A. I do not know that I remember anything else particularly.

Q. Those are the only two?—A. Those are the only names I can give right now.

Q. When did Mr. Wilkinson make that statement?—A. Repeatedly; whenever the name was mentioned.

Q. What difficulty had Mr. Wilkinson with him?—A. I heard it before he had any difficulty with him at all.

Q. What difficulty did he have with him?—A. Well, some time in 1881, or I believe it was 1880, Mr. Burnet made a speech in Crystal Springs.

Q. A political speech?—A. Yes, sir, a political speech; and Mr. Wilkinson introduced Mr. John C. McMartin, and he made a speech, and Mr. Burnet made a statement that he had organized a club in the western part of the county of 100, right in my neighborhood, and I knew it was not so, and Mr. McMartin made the statement that it was not so, and Burnet became enraged about his being brought in and allowed to speak, as he considered, before the club, when it was a public meeting, and all that, and he got wordy with Wilkinson about it, and I do not know how they settled it or anything about it.

Q. How many negroes do you say voted the Democratic ticket at your voting place?—A. Sixteen or seventeen, I think.

Q. Give the names of those negroes, if you can.—A. I can give you the names of a great many of them; I cannot give you the names of all of them; I can give you the names on my immediate place.

Q. Living on your place?—A. Yes, sir; Leonard Wilbert, Aleck. Wilbert, Dan. Price, John Davis. The other names I have forgotten. I can furnish the names, though.

Q. How many of those 16 or 17 who voted the Democratic ticket were living on your place?—A. Those four were living on my place.

Q. You are a Democrat?—A. Yes, sir; I am.

Q. How long had they been living on your place?—A. Some of them four or five years—Price and Davis; the other two had moved in there last year.

Q. On whose place or places did the others live?—A. I do not remember; up near the beat above me. I am living almost very near the line of Hinds and Copiah Counties, and it is some distance up to Green's store, and I could only know of their voting by their coming in and handing in their open ticket and showing it to us, and making statements to that effect.

Q. Do you know, or not, that those negroes who voted the Democratic ticket lived on the places of Democrats?—A. Well, the whole neighborhood there were Democrats.

Q. I understand, then, that they all lived on the places of Democrats; is that your information?—A. Yes, sir; that is my information. I did not know but one Radical down there, and that was J. K. Stanley.

Q. How many times have you failed in business there?—A. I have failed in business twice.

Q. When did you fail the first time?—A. I made a mistake about it; 1879 was the first time, and the second time was 1882.

By Mr. SAULSBURY:

Q. You settled pretty much all your indebtedness with your creditors?—A. All but a very little. I settled the first time dollar for dollar.

Q. The last failure you settled on a compromise?—A. Yes, sir; of about 40 or 50 cents.

Q. It was satisfactory to your creditors?—A. Yes, sir; and I gained my case in court all the way through.

By Mr. CAMERON:

Q. I suppose the creditors were satisfied with 40 cents because they were satisfied that they could get no more, were they not?—A. I do not know about that. The circumstances are known there, and they did not express anything but what they were satisfied.

Q. Did you ever pay anything on the claim that Mr. Burnet held against you?—A. I have forgotten what claim that was. We have only two or three claims. We have settled nearly all on the last claim. There would be no trouble about settling this. I did not state that we settled in full on the last trouble. There is only a few that we have not settled with.

L. F. BIRDSONG sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. At Hazlehurst, Copiah County, Mississippi.

Q. Were you present at the meeting that passed these resolutions after the death of Mr. Matthews?—A. Yes, sir.

Q. Were you or not opposed to the passage of those resolutions—A. Yes, sir.

Q. Did you or not solicit Mr. Sexton to make a speech in opposition to them?—A. Yes, sir.

Q. Did he or not essay to make an effort in opposition to it?—A. Yes, sir; I went down about middle way of the court-house and told him he ought to go and allay the excitement; that the excitement was running too high and that they were likely to do wrong; and he came right out to make a speech, and about that time Major Barry got up and offered some resolutions that were conciliatory, and he was hissed down at once, and Mr. Sexton then refused to say anything.

Q. It was the excitement on that occasion that prevented Mr. Sexton making a speech of that kind?—A. Yes, sir.

Q. And when the effort was made by Major Barry the confusion and excitement were so great that he was not heard?—A. No, sir.

Q. These excited men in that meeting then had the control, apparently, of the meeting?—A. Yes, sir.

Q. Was it a meeting called by any public notice or was it just an extemporized meeting?—A. That was my understanding; I know somebody told me there would be a meeting there, and I wished to go over and I did go over; it was an extemporized meeting.

Q. Did the majority of the people—of the Democrats of that county and of that parish, or beat, as they call it—did the majority of them participate in it or have anything at all to do with it?—A. No, sir.

Q. Did they approve of any such proceeding?—A. No, sir.

Q. Was there not a large majority of the Democratic party of Copiah County that utterly condemned any violence?—A. Yes, sir; a very large majority.

Q. This was simply the ebullition of an excited multitude at the time? A. Yes, sir; and of some men who were full of whisky.

Q. Do you know whether or not there were any rumors which gave rise to that meeting, of violence on the part of the friends of Mr. Matthews; whether there were any rumors that there would be violence on the part of the friends of Mr. Matthews after he had been killed?—A. I know it had been said—I heard it myself—that he had said that if he ever was killed that his boys and brothers would vindicate his death; I know that; I know there were such rumors as that afloat previous; I had heard it often.

Q. Did you know the character of Mr. J. P. Matthews?—A. I think so.

Q. Was he regarded as a peaceable man, or as a man of an excitable temper and violent in his expressions?—A. Mr. Matthews was this kind of a man, to the best of my judgment. If not opposed, he was a peaceable and very quiet man; but in politics it seemed to be his mode to always array one race against the other, and to carry his political ends he would use any means. He had no standard of morals, it seemed to me. He would do anything in the world to carry his purpose, or anything to carry out his ends.

Q. Do you know Mr. A. W. Burnet?—A. Yes, sir.

Q. Do you know his character and reputation in your neighborhood in that county for veracity?—A. No, sir; I do not. I only knew Mr. Burnet while he lived at Hazlehurst, which was only a short time; that is, eight or twelve months before he left there. My intimacy and acquaintance with him was not sufficient to enable me to form any judgment pro or con only as I saw him moving through the streets until since I saw published statements in the papers, and if they have not misrepresented Mr. Burnet he has certainly equivocated from what I know to be the facts very far.

Q. Did you see the reported interview in the National Republican published in Washington City?—A. I do not know whether I did in that paper, but I saw several accounts purporting to be from Burnet. I suppose I saw all that were published. I saw quite a number of them, but I do not remember any special paper.

Q. If those interviews which you have seen are correctly reported as to the language of Burnet, would you believe him as to the facts you know on his oath?—A. No, sir; I would not, because I know them to be false. That is, I do not say the entire thing is false, but I know there is enough false mixed in with it to place it where I would not believe him under such circumstances.

By Mr. CAMERON:

Q. About how many men were in the mass meeting that passed the resolutions that have been referred to?—A. I do not know. There was quite a crowd in the court-house.

Q. It was held in the court-house?—A. Yes, sir.

Q. Estimate the number as near as you can.—A. I suppose there was probably three or four times as many as there is in this room; quite enough to fill up a room probably twice as large as this, and enough to fill up one-half of the room so that it would look pretty well packed with people, and probably more. I could hardly estimate a crowd in that way.

Q. Were the people composed mostly of residents of Hazlehurst?—A. No, sir. I think there were quite as many from the country, and probably a great many more.

Q. Were you acquainted with any of those who were at the meeting?—A. Yes, sir.

Q. What was their general reputation in the community where they reside?—A. It was a mixed multitude of people; some of the very best men in the county and some of the very worst.

Q. Give the names of some of the prominent gentlemen of Hazlehurst who were present at that meeting.—A. Mr. Sexton was there; Major Barry was there. He lived out in the country a little. Those I specially remember. I think that Mr. Harris was there, and everybody nearly. I cannot remember all those that were there without having thought about it some. It was just as you gather up people together; as they come right in on the streets; the meeting was announced and we all came in.

Q. Who was the chairman of the meeting?—A. I believe it was Mr. Meade, if I am not mistaken.

Q. Was or was not Mr. Meade at that time chairman of the Democratic county committee?—A. Yes, sir; I think he was.

Q. Do you know whether he is still the chairman of that committee?—A. I do not know.

Q. Who were the secretaries of that meeting?—A. I could not tell you; I do not remember.

Q. Did or did not any one speak in opposition to the adoption of those resolutions?—A. No. As I told you, Major Barry started to do so; well, he did. He objected to it, but there was so much excitement and confusion they just forced him down.

Q. Then, in your opinion, were a large majority of the meeting in favor of the passage of those resolutions?—A. I do not think, coolly and calmly——

Q. No, no; just as they were then, at that time.—A. Yes, sir; I think the majority were in favor of it at the time, under the excitement.

Q. Did any one object to them, except Major Barry, publicly?—A. No, sir; when we saw that it could not be carried we quietly sat down; I know I did. I was using my influence to try to get a different state of affairs brought about. I did not want those resolutions published. I did not want the thing to go so far, and I used what influence I had, and saw I was powerless, and I stopped.

Q. When did you use your influence in that direction?—A. When I went to Mr. Sexton and asked him to make a speech to allay the passions of the people.

Q. You stated that you did not want those resolutions published. Why did you not want them published?—A. I did not care what they did with the resolutions; I didn't want them passed at all; that is what I said.

Q. What was the objection to passing them?—A. Because I thought they were too radical in their tenor.

Q. What was wrong about them?—A. If you will read them I will point it out. I cannot remember all that was in them, but I will point it out by detail.

Q. Can you remember anything in them now that you objected to, if so, state what it is.—A. I could not call up just exactly what it was. I have told you in the main what my idea was, that they were too violent in their expression.

Q. Here is a copy of the resolutions published in the Jackson Tribune.—A. Yes, sir; if you will read them I will tell you what I objected to in them.

Mr. CAMERON (reading the extract referred to). "On Wednesday, the

7th instant, the citizens of Copiah County met in mass meeting. J. L. Meade was elected chairman and Jesse Thompson, jr., and C. J. Allen were chosen secretaries. The following resolutions were offered and unanimously adopted." Were they unanimously adopted so far as you know?—A. As I have told you, while they were assented to, they were not unanimously adopted.

Q. Was there any negative vote against them?—A. I do not know that there was.

Q. Do you not remember that there was not?—A. I do not think there was any vote. I do not think anybody said "no" that I remember. I just simply know what my feelings were.

Q. I am not asking you what your feelings were; I am asking you the facts that occurred at the meeting.—A. I am trying to give you the facts.

Mr. CAMERON (continuing to read). "Whereas certain rumors are current that the relatives of the late J. P. Matthews have threatened the peace of society, in order to avenge his death, by killing Democrats and destroying their property." Had you heard those rumors?—A. Yes, sir; I had heard, as I said before——

Q. I mean the rumors after his death and before this meeting.—A. I heard them before.

Q. Before his death?—A. Yes, sir.

Q. Did you hear them after his death?—A. I do not remember whether I did or not after his death.

Q. When before his death did you hear those rumors?—A. I heard them frequently

Q. I mean when did you hear them?—A. It would be right hard to say when. I know I heard them before.

Q. What were the rumors that you heard?—A. The campaign was very much excited. It was just a week or so, I could not state the exact time; it was just before the election. I heard it said that Mr. Matthews had said that if he was ever killed his boys would vindicate his death.

Q. How would they vindicate his death?—A. I do not know how they intended to do it, but the inference was that they would kill whoever——

Q. I am not asking for inferences; I am asking you what you did hear.—A. That is what I thought about it.

Q. I ask you not what you thought about it, but what you heard?—A. That is what I heard.

Q. That if he at any time was killed his boys would vindicate his death?—A. Yes, sir.

Q. Is that all you heard?—That is about what I remember now.

Q. Who told you that?—A. I could not tell you now. You know how those things are. I have an indistinct recollection of hearing my boys speaking about it, and I think that little boy of Mr. Matthews' told me lately—I have forgotten his name.

Mr. JONAS. Simon?

The WITNESS. That is one way in which it came to me; it might have come in others. I never paid any attention to it or thought there was anything in it in any way. In the first place I did not believe anybody would ever kill Mr. Matthews, and I did not believe these things would ever come up.

Mr. CAMERON. Had you before the election heard that the persons to be killed were Democrats?—A. No sir; I never heard that. I never heard that anybody was to be killed.

Q. You say that you know that a large majority of the Democrats in Copiah County disapproved these resolutions?—A. I think so.

Q. How do you know it?—A. I told you I thought so. I think so because the large majority of the Democratic people of Copiah County are good people, in my judgment. I have been living among them sixteen or eighteen years, and I know the majority of them are law-abiding citizens and as good people as you will find in any other country of average men of intelligence.

Q. You say these resolutions were adopted by the people at the meeting and a large number of those people were good people?—A. Yes, sir.

Q. And they did not vote against it?—A. But it was under very exciting circumstances. The minds of everybody were very much inflamed, and it was very hard to control the public sentiment, just at that time, of the people.

Q. Who have you heard condemn these resolutions since their adoption by that meeting of Democrats?—A. I do not know that I have heard any one specially condemn them.

Q. Have you heard any one disapprove of them since that time—since their adoption?—A. Yes, sir.

Q. Who?—A. Judge Cooper, one of the judges of the supreme court.

Q. Where does he reside?—A. At Jackson, Miss.

Q. What did he say about them?—A. He said it was very unfortunate; that was my recollection.

Q. What was unfortunate?—A. That the people should suffer themselves to become so excited as to pass resolutions of that kind. That is my recollection of it.

Q. What citizens of Hazlehurst have you heard condemn these resolutions since they were adopted?—A. I have not talked to anybody about it, and I do not know that I have ever heard any one. Myself and a neighbor were speaking of it directly afterwards, and Judge Cooper was down and it came up.

By Mr. JONAS:

Q. Judge Cooper is a Hazlehurst man?—A. Yes, sir. He used to attend to my practice, and we were intimate friends.

By Mr. CAMERON:

Q. But you have not heard any person, any citizen who resides in Hazlehurst, condemn these resolutions since their adoption?—A. I do not know that I have especially. I do not think I have.

Q. Will you please state what portion of the interview, purporting to have been given by Burnet to some newspaper in Washington, was not true?—A. Well, I remember one thing especially. One statement was that he was shot, if I mistake not, on election day or the day before or about; that Mr. Hart shot him. That is one statement that I remember especially, and I know that was false.

Q. Is it a fact that he was shot by Hart?—A. It is said that he was; that is the current report or rumor.

Q. Then that portion of the statement was not false, only the time. Is that all that was false in it?—A. That is what I especially remember now.

Q. Are you entirely certain that that was in the interview?

The WITNESS. In which interview?

Mr. CAMERON. In the interview that Mr. Burnet had.

The WITNESS. That is my recollection of it as I read it.

Q. What else was false in it?—A. If you will just read it I will point

it out, but I cannot remember it now. You would have to bring it up before me. I remember the impression on my mind.

By the CHAIRMAN:

Q. I understand the only thing you now remember which led you in this interview to attribute falsity to Burnet was his statement that he was shot on election day?—A. That is one of the things.

Q. That is the only thing you have mentioned. Do you remember anything else?—A. I cannot remember. You would have to show it to me.

Q. Let me ask you if this is not what the interview says on that subject [reading]: "Some weeks before the election I went to Jackson. * * * I got home late at night and went to bed. The next morning a friend of mine came to my room." I am skipping some of the sentences as to what occurred. * * * "A couple of hours afterward I was walking down the street and then he shot me." Does he not state in that interview that it was some weeks before the election, distinctly?—A. That is not my recollection of it at all.

Q. Just look at that and state if it is not the language you saw used in that interview; is not that the interview you saw [handing a paper to witness]?—A. [Looking at the paper.] Well, here is another positive falsehood that he has given.

Q. Just stick to the one you have got first. We are asking about that first. Were you not mistaken in thinking that that interview represented Burnet as having been shot on election day? Do you not think so now that you have read it over?—A. No, sir; I do not know that. I feel quite sure that in the paper I read it from it was stated just that way.

Q. That, as I am informed, is the National Republican, in which the interview was published, and is a copy of the paper itself, and is the only interview he has had. Now, if it should turn out that that is true and that is the original paper, you would think that maybe you were mistaken in that particular?—A. Oh, yes, sir; if that is what I read from.

Q. There is something else you wanted to say?—A. Yes, sir [reading from the paper]: "I was the only Republican lawyer there and was getting most of the business." I do not think Burnet ever got but one case, that $25 was involved in, during his whole stay there, and that I think the people were robbed in.

Q. You did not hear the list of cases that Mr. Burnet gave the other day, did you?—A. No, sir; but I think I know something of the practice in Hazlehurst, and I think he was considered just simply a justice's court lawyer, and that was all.

Q. What case is that you speak of?—A. That is where the board of supervisors voted him $1,000 to investigate Uncle Billy Cook's bond.

Q. Did you not hear the last witness testify that he had a claim against him involving more than that sum?—A. No, sir; I was not paying any attention to the evidence.

Q. Did not Mr. Burnet have all the business of the Republicans there?—A. No, sir; I think not. I think Mr. J. P. Matthews himself always gave his important business to other lawyers, and he had important business.

Q. Do you know about that?—A. I think I do. I think I have been in court enough to know.

By Mr. CAMERON:

Q. How long have you been in business at Hazlehurst?—A. I have been in business since 1866, and probably a little earlier than that.

Q. Have you ever failed in business there?—A. Yes, sir.

Q. When?—A. In 1868, I believe it was.

Q. Did you settle with your creditors?—A. I made an assignment in which I turned over every dollar's worth of property and everything in the world that I had, save my home, distributing equally to everybody.

Q. How much did the creditors receive out of the wreck?—A. They received 25 cents on the dollar. They sold it out to Major Millsaps, who resides now at Brookhaven.

Q. Had you heard anything of this procession, as some of the witnesses call it, going over the country prior to the election?—A. Yes, sir.

Q. When did you first hear that they were raiding over the country, as near as you can state?—A. My recollection is that it was several days before the election that my attention was first called to it.

Q. Did you hear of the shooting of a colored man named Wallis?—A. No, sir; I did not hear of any special name. I heard there was a negro killed, but I do not remember who it was.

Q. Did you hear that they had been firing into the houses of negroes in the country?—A. I heard this—this is just about the first I heard: I heard that Mr. J. P. Matthews said that they were riding over that country and intimidating the voters and committing lawless acts, and that if the sheriff did not put a stop to it, that he had plenty of men and would go down and do it himself. That is about what I heard; that he could raise plenty of men and would go down and put a stop to it himself.

Q. Can you give the names of any of the men who were in that company?—A. Yes, sir; I can give the names of some of them.

Q. Were two of your own sons in it?—A. No, sir; I do not think they were. One of my sons went away against my wishes. I did not know anything about it. A boy of mine, some 17 years old, went off without my permission. I am very sorry that he went; I did not want him to go.

Q. You understand that he went with that company, do you?—A. Yes, sir; I think he did; that is my opinion.

Q. How long did he remain with it?—A. I think he remained all of one day with them.

Q. What day was that?—A. I do not remember what day; I do not know what day it was.

Q. Was that boy away at night, also?—A. Yes, sir; he could not have got home, after going fifteen or twenty miles away, well.

Q. When did he leave home, and when did he return, according to your best recollection?—A. Well, if he left to-day, say, I think he came back probably the next day; that is my recollection of it. He was not gone over two days, I feel quite sure.

Q. Did he inform you where he had been, or do you know where he had been?—A. Yes, sir; he told me he had been with the—I do not know what he called them.

Q. Did he call it the procession?—A. I do not know now.

Q. Did he not tell you he had been out electioneering with some of the boys?—A. No, I do not remember that he told me that. Of course, I knew where he had been, but I do not know what they called it.

Q. Where had he been; in what part of the county had he been?—A. I think he had been in beat 3.

Q. Did he or not come into Hazlehurst with the procession on Monday?—A. I do not know; I expect he did. I did not see him when he came in.

Q. Did he leave on Sunday?—A. He might have done so, but I do not remember now what day he left.

Q. But you think he returned with the procession on Monday?—A. I think he returned the day after he left, but I do not remember when that was.

Q. Do you remember whether or not he returned on Monday, the day before the election?—A. I do not remember that; no, sir.

Q. Where were you at the time Mr. Matthews was shot?—A. I was in my store.

Q. How far from Mr. Matthews' store.—A. It is across the street.

Q. Did you hear the gun fire?—A. Yes, sir.

Q. What statement or exclamation did you make when you heard the gun fire.—A. None whatever.

Q. Are you acquainted with E. B. Wheeler?—A. Yes, sir.

Q. How long have you been acquainted with him?—A. I have known him 16 or 18 years, I think.

Q. Are you one of the sureties on his bond?—A. Yes, sir.

Q. Who is your cosurety?—A. Mr. Higdon and Mr. Ellis.

Q. Is Mr. Ellis is a relative of yours.—A. Yes, sir; he is a brother-in-law; we married sisters.

Q. Where did you see Mr. Wheeler first after he shot Mr. Matthews?—A. I saw him on this side of the street first.

Q. The side of the street that your store was on?—A. Yes, sir. I went immediately up to the corner and got up there and he was coming just across from the other side of the street—across the bridge, so to speak.

Q. Did he at that time have a gun in his hand?—A. Yes, sir; I think he did.

Q. Was any one with him?—A. There were quite a number of people trailing along following like a crowd will.

Q. Give the names, if you remember.—A. I cannot say. I was there myself.

Q. Who else?—A. I could not say.

Q. Was Mr. Meade with him?—A. I did not see Mr. Meade.

Q. Where did Mr. Wheeler go?—A. He went to the corner of Subat's, a brick store, still ranging up the street.

Q. You followed or trailed on after him?—A. Yes, sir; I went up until I got to the corner of the bank and then went home.

Q. How soon after that was it that you went on his bond?—A. It was not long. They had him arrested right off. I do not think it was more than an hour probably.

Q. Who requested you to become one of his sureties?—A. My recollection is Mr. Meade did.

Q. Do you not remember that that is the fact?—A. Yes, sir; I think so.

By the CHAIRMAN:

Q. I would like to ask you one question. Did you say in answer to Mr. Jonas or Mr. Saulsbury that the better portion of the Democratic party disapproved of these offenses of whipping the negroes and visiting their houses?—A. Yes, sir; I think so; that is my opinion.

Q. And they also, the better portion of the Democratic party, think it a calamity to the public to have the Republican party carry the county, do they not?—A. No, sir; not as a Republican party. The Republican party in the North and the Republican party in the South are two very different things.

Q. I am speaking of the Republican party of the county of Copiah?—A. Yes, sir.

Q. That they think is a calamity?—A. Not as a party. If you just rid the county of J. P. Matthews and the men that he monopolized and controlled, men would not object to two parties: they would be glad of it; I would be. But if they are to be controlled, if the offices and the emoluments of the offices are to be controlled to rob people——

Q. If they should be controlled by the people whom they prefer for their leaders instead of the people whom the Democrats prefer for their leaders—isn't that it?—A. No, sir; that is not it.

Q. You think it would have been a calamity to have had the Republican party carry that election, this Independent party in that county, under the circumstances?—A. I think it would be a calamity for the men who were on the Independent ticket to have been elected. I think it would have been a calamity. I think the county would have been bankrupted in two years!

Q. Which do think would be the greatest calamity to Copiah County, on the whole, the carrying of it by the Independents or having these offenses and outrages upon the negroes happen?—A. It is very hard to tell which in the long run. It would take a man who has studied the politics over there more than I have to state that.

Q. You have a doubt whether it was best to have the Independents carry the county or have these outrages happen?—A. I am free to confess that the necessities of the case required such desperate remedies.

Q. But you think that the necessities of the case did require such remedies?—A. I think desperate diseases require desperate remedies.

Q. And do the majority of the better class of Democrats in Copiah County concur with you in the opinion you have just expressed?—A. I cannot say as to that.

Q. Is that your belief?—A. I do not know. I believe this, Mr. Hoar, that the good people of Copiah County want peace and order.

Q. That I understand.—A. And I believe if they were let alone—if such men as the Matthewses would just let them alone—that the colored people and the white people would soon be friendly and work along together and we would have no trouble. But Mr. Matthews seemed to want office all the time, and he could manipulate the people. He could put this one on the board of supervisors, and Bufkin down here on another one, and place things just as he pleased. And then he got their warrants up and down and bought them at his own price, and it was all for gain the way I look at it. It was not for the love of the Republican party that Mr. Matthews was a Republican, but simply to make money by it and keep office; that is the way I looked at it.

Q. What money did he make by it?—A. He made all he has got.

Q. Is he not the only sheriff of that county who went out of office who was not a defaulter?—A. No, sir; that is another point that I just say is not true.

Q. You say that this desperate disease, which is the disease of having the majority of the people of that county elect such men as Mr. Matthews to office, required a desperate remedy, and you did not know which was the worst?—A. That had reference to the whipping of the negroes.

Q. That I understand. Now my question is whether you thought that the majority of the better class of Democrats in that county concurred with you in that opinion?—A. I cannot answer that question. I cannot say what others think.

Q. Do you not know their opinion on that subject as well as you know their opinion on the subject where you just gave it disapproving of these outrages?—A. If you will allow me I will explain that.

Q. I would like to have you answer me; of course in your own way.—A. I think this; that the people of Copiah County had rather use some—you might term it bulldozing—than to have fastened upon them a set of officers who will be continually passing laws flooding the country with warrants to bankrupt the people, and taking the people's money really for nothing. That is what I think about it.

Q. Do you not know that the charge which you make against the Republican leaders in that county is made by the Democrats everywhere against Republicans all over the country. They make the same charges against the national administration.—A. Yes, sir; and some of them are sustained very thoroughly, too.

Q. Well, you believe that. So that if the Democrats make these charges all over the country and believe it, in your opinion they are justified in using the same measures everywhere, if they dare to?—A. I think they do bulldozing just as much in New York and Pennsylvania and those States as in Copiah County.

Q. And you think it is justifiable if the disease requires a desperate remedy?—A. I think you people up there regard it so by the way you term it.

Q. I wished to know what you thought?—A. I tell you the best plan for everybody is to do right; that is my opinion.

Q. Did you have a brother-in-law who was engaged in this business of speculating in warrants, a Mr. Ellis, who was also on this bond?—A. No, sir; Mr. Ellis was a merchant.

Q. Did he not buy them in the bank?—A. Oh, yes, sir; the bank buys warrants.

Q. And he is the cashier, is he not?—A. Yes, sir.

Q. And was one of these bondsmen?—A. Yes, sir.

By Mr. SAULSBURY:

Q. You have been asked (for the purpose of invalidating your testimony, I have no doubt) whether you had not failed in business. Do I or not understand you to say that you made an honest assignment of everything that you had on earth for the benefit of creditors except your homestead?—A. I did.

Q. Is not your homestead protected from creditors under the laws of the State?—A. Yes, sir. I gave that up afterwards in order to liquidate my debts. I gave up everything finally.

Q. You finally gave up even your homestead and gave up everything?—A. Yes, sir.

Q. You paid, then, every dollar on your indebtedness that you had means to pay?—A. Yes, sir. I paid, after I failed, $9,000 of my debts, dollar for dollar. After I had failed—the firm of Birdsong, Horn & Britton—we made an assignment, and that estate was sold by the creditors to Major Millsaps, of Brookhaven, and Mr. Millsaps said, "I will give you $50 a month to take charge of that estate, and when I get my money back I will give you half of the balance." In two years I paid out, dollar for dollar, about $9,000.

Q. That shows there was a good deal of honesty on your part. Did I not understand you to say in your examination in chief that the good people, the Democrats and a majority of the good people of your county, disapprove of all violence and disturbance of the peace in reference to politics as well as everything else?—A. I said the large majority of them. I think so.

Q. You were pressed upon the point whether you thought it would be better to have some violence or to let the Republican party have con-

trol of your local affairs in that county. I want to know whether the local management, so far as it has been under the control of the Republicans has not been detrimental to the interests of your county?—A. Yes, sir; very much so.

Q. Had not Mr. Matthews, through his influence through the supervisors, a very considerable influence in the selection of the grand jurors of your county?—A. I think so.

Q. Did he or not make use of the influence which he had to protect his political friends on all occasions that he could?—A. I thought so.

Q. Was he in the habit of buying up those warrants?—A. Yes, sir; I think he was.

Q. I will waive that. You were asked whether your son was not in this party riding around through the country on one occasion, and you stated that your son was out one day and night?—A. Yes, about that time; I will not say positively as to the time. I know he was from home.

Q. Did you or not say that that was contrary to your wish and without your knowledge and consent?—A. Yes, sir; I did.

Q. How old was that boy?—A. He is some 16 years of age, or 17, or something like that.

Q. Were not many of those who were in that crowd, a considerable number of them, boys of that age and something over?—A. I could not say as to that. I do not know. I think quite a number of them were young men, indiscreet young men. I think they were led on by indiscreet young men. That is what I think about it.

BRAXTON FUGATE sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Hazlehurst.

Q. How long have you lived there?—A. About twenty-five years, I think.

Q. What business are you in, if any?—A. I am station agent and express agent.

Q. At Hazlehurst?—A. Yes, sir.

Q. Did you hold that position previous to the election of November, 1883?—A. Yes, sir; since 1876.

Q. State what you know in relation to a very heavy box that was received by Mr. J. P. Matthews just previous to the election?—A. The latter part of September there was a box of hardware came which was consigned to J. P. Matthews & Brother.

Q. Freight or express?—A. By freight.

Q. Consigned to which brother?—A. To J. P. Matthews & Brother; that is the style of the firm.

Q. J. P. and Leon Matthews compose the firm?—A. Yes, sir; I suppose Leon is a partner.

Q. Describe that box and the peculiarities of it?—A. It was a box weighing eighty pounds. I suppose it may have been three feet long and eight or ten inches square; I judged it to be; I could not say positively, though.

Q. Was there anything about the box from which you could judge of the nature of its contents?—A. No, sir; I could not tell. It was billed as hardware.

Q. Do you know anything about the contents of that box?—A. No, sir; I could not say.

Q. It was delivered?—A. Yes, sir.

Q. Did you see it opened?—A. No, sir; I did not see it opened.

Q. Did you see any of its contents; state what you did see further in relation to that box?—A. The cotton platform is about 50 or 75 feet from the store of Mr. Matthews. I was out on the platform a few minutes after, right opposite to his store. I saw parties, I do not know whether it was more than two, handling a pistol, and I supposed it came out of the box, and the box was setting there.

Q. Did it seem to be a new pistol?—A. Yes, sir; I judged it to be a new pistol.

Q. Had the box been opened?—A. I could not say as to that, but I thought it was.

Q. Who were the parties who were handling the pistol?—A. It seems to me—I think Mr. Matthews's brother and Dave Wright were the parties.

Q. Which Dave Wright, the older?—A. No, sir, the younger man.

Q. Which Mr. Matthews, Leon Matthews?—A. No, sir; I think it was Mr. Ras Matthews; I am not positive.

Q. Did you communicate these facts to anybody?—A. Some one came and asked me if the Matthews had gotten any guns, and I told them about this circumstance; that they had gotten a box of hardware, and about seeing the pistol in the hands of these parties.

Q. Was this thing generally spread around; did it become generally known in the community?—A. I cannot say. I had several come and ask me about guns or arms.

Q. And you gave these facts to several people?—A. I told them the fact to show—yes, sir.

Q. To show what?—A. Well, I told them there was no arms that I knew of only that. That was the only thing. I suppose that is the way the rumor got out that there was arms.

Q. What was your own impression from handling the box, and so on?—A. I supposed the pistol came out of the box.

Q. And you supposed it was a box of pistols?—A. Yes, sir, I supposed so, as the pistol came out of the box.

By the CHAIRMAN:

Q. He kept pistols in his store for sale at all times?—A. I could not say; but merchants had kept them in town there.

Q. A great many persons go armed in that region, do they not?—A. I am not about much to see; I do not know about that.

Q. But you have as much knowledge of that as you have of the contents of that box. I do not speak of particular persons, but whether, in that part of the State, a great many persons carry pistols?—A. Oh, yes, sir; I think so.

Q. Do you know anything of any arms coming from any quarter shortly before the election—any guns?—A. No, sir, I do not.

Q. Did not other guns—State arms—come over your road?—A. No, sir. Do you have reference to that? The organized militia of the State brought those guns down themselves. Those guns were not shipped.

Q. Where did they bring them from?—A. From Jackson.

Q. Did you see them—the militia?—A. No, sir; I was not at the train when they came in.

Q. Do you know whether they carried them back?—A. No, sir; I do not know.

Q. Did they not leave them there; did you not understand they were left with Mr. Meade?—A. They were left with the sheriff, I expect; I understood so. That is only hearsay.

Q. How many?—A. I could not tell you that.

By Mr. CAMERON:

Q. You say the organized militia of the State brought those guns there; do you mean the militia or a company of them went to Jackson and brought them down to Hazlehurst?—A. I understood it was an organized company from Jackson.

Q. Did you not understand that Mr. Meade telegraphed to the governor to send arms and ammunition, and they were sent there in pursuance of that telegram?—A. No, sir; I do not know anything about that. I did not know anything about the guns being there until I saw the guns there the next morning. I saw some young men from Jackson there the next morning, and one who seemed to be in charge; they called him lieutenant and captain, and I supposed it was an organized company. They seemed to go by his orders altogether. They were questioning me about trains.

Q. Can you swear that the box of hardware, of which you have spoken, had been opened at all when you saw some one near it with a pistol?—A. No, sir; I could not. I said I noticed the box on the floor and saw them handling a pistol. That is all I could say. I could not say whether it came out of the box or whether they took it up off the counter.

Q. State whether or not Matthews & Brother were not dealing in hardware at that time.—A. Yes, sir; they deal in hardware, as all general dealers do there.

Q. State whether or not all the general dealers in the town keep pistols for sale?—A. Not all. I do not think all do, but I think a good many of them do. I do not know about that.

Q. You think Matthews and brother do?—A. I could not say.

Q. Have you any information about it?

The WITNESS. About their keeping pistols?

Mr. CAMERON. Yes, pistols for sale?

A. Well, no sir; it is something I never have use for.

Q. Have you as much information about that as you have about the box being opened?—A. Yes, sir. The box was setting on the floor there, and I was 75 feet across the street from it.

Q. You do not know what was in the box then?—A. No, sir; I could not be positive that there was anything in the box.

G. M. BANKSTON recalled.

By the CHAIRMAN.

Question. I want you to state the position of the pistol which was found after Print Matthews was shot.—Answer. As he fell it fell out of his pocket and on the floor, right under his hip.

Q. Did you see it there?—A. Yes, sir.

Q. Did you see it fall out of his pocket?—A. It slipped out between his hip and coat-tail I suppose it fell out of his coat pocket.

By Mr. SAULSBURY:

Q. You do not know that it fell out there, you only suppose so?—A. I suppose so.

Q. You do not know but what he had it in his hand?—A. I could not swear as to that, but I know that he did not have it in his hand when he voted.

By the CHAIRMAN:

Q. How were his hands after he fell?—A. One of his hands was under him.

Q. He fell on his left side.—A. Yes, sir.

By Mr. JONAS:

Q. Mr. Wheeler did not have a gun when Mr. Matthews went to vote?—A. If he did I did not see it.

Q. And it is quite as possible for Matthews to have drawn his pistol as it is for Wheeler to have taken up his gun?—A. Well, he might have done it, but I did not see either. I didn't see any pistol until after he fell.

Q. Nor any gun until after you heard the report?—A. No, sir.

WILLIAM OLIVER sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. At Wesson, Copiah County, Miss.

Q. How long have you resided there?—A. About thirteen years.

Q. At the same place?—Yes, sir.

Q. Are you connected with the Wesson Mills?—A. Yes, sir; I am secretary and treasurer of the Mississippi Mills at Wesson.

Q. At what precinct do you vote?—A. We are an incorporated town, and only those who live in the town vote in our town.

Q. That is in Copiah County?—A. Yes, sir. Wesson is an incorporated town. By the bye, I will mention, we do vote for supervisor in that town, in the second district, I believe it is called, in beat 2.

Q. What is the relative strength of parties in that town?—A. It is pretty much one-sided there; the Democratic party are almost unanimous in that town.

Q. How many voters are there?—A. About three hundred voters.

Q. That is in Wesson?—A. Yes, sir; and all except a half a dozen vote one way.

Q. I think it was stated by some person in the testimony that you exercised a controlling influence there, and it was through your influence that those men voted the Democratic ticket there. I want to inquire whether you ever exercised any authority whatever over your employés in those mills to control their votes?—A. I exercised no peremptory authority. I, of course, use all the influence I can (I am a Democrat myself) to influence my people to vote the Democratic ticket. But I tell them to vote as they please, and they do generally vote the Democratic ticket.

Q. Have you ever threatened to discharge, or have you ever discharged any employé for voting contrary to your sentiments?—A. I never have.

Q. Are any of your employés Republicans?—A. Yes, sir. About three or four years ago I had a superintendent by the name of Holbrook. He was from New York State, and was a Republican. He was our superintendent for three years. He never voted there, for he said he would not vote the Republican ticket there, though if he was where he came from he would; that he was a Republican in principle.

Q. Why did he say he would not vote the Republican ticket there?—A. He said because of the manner in which it was conducted, and the men conducting it; that it was the bad element there that were Republicans, while at the North the good element was Republican and the bad element Democratic; that is the way he argued to me. He says, "Where I come from at the North the better class there are Republicans and the bad element are the Democrats, and here it is the reverse." That was satisfactory to me, and I employed him because he was a good superintendent. I discharge no one for their political principles.

Q. Have you ever had any colored men in your employ who voted the Republican ticket?—A. Yes, sir; I had a fireman for six or seven years who voted the Republican ticket all the time, and was generally selected as an inspector at each election whenever they had a Republican because there were so few Republicans. His name was Henry Smith.

Q. You did not discharge him though?—A. No, sir; he quit of his own accord and is now teaching school there in the town. And I recollect we have some Republicans now who voted at the last election the Republican ticket. They are working in my warehouse.

Q. Any statement, therefore, that you have exercised force or threats to control the men under you is not correct?—A. That is false. I have used my influence whenever I could do it by argument, but when that ceased the thing stopped there.

Q. I want to inquire if you have not refrained from attending political meetings, because they have charged you with exercising force, and denounced your men as "Oliver's dogs" because they voted the Democratic ticket?—A. Yes, sir; I have not attended a political meeting during the last canvass or heard a speech, because the hue and cry was with the Independents and Republicans that "Oliver's dogs" had to vote just as he said, and I said I would not attend any meetings of that kind, and I told Mr. Sexton so—that I would not have anything to do with it, and let them do as they please. I did not hear a single speech during the last canvass.

Q. Are you generally acquainted in the county of Copiah?—A. Pretty generally; yes, sir.

Q. What is the character of the white people or the Democrats—in other words, their general character—in the county, as far as you have any knowledge of them?—A. So far as my information can go, and my observation there, as a general thing, they are a peaceable and law-abiding people and intelligent. Of course there is a bad element with the Democrats, as with all other people; some that are bad. But I regard it in this way, that the best of them in our county belong to the Democratic party amongst the white people. The negroes are generally ignorant, unintelligent, and are generally influenced by designing white people (that is the conclusion I have come to about it) in the county.

Q. Were you ever denounced by Mr. Matthews as a leader of a mob; or of using violence, or anything in that way?—A. I was informed that I was about two years ago last fall; I think it was at an election. I received a letter from a Mr. Thompson, of Brookhaven, advising me that I was denounced as the leader of the mob who attempted to assassinate a Mr. Yellerley, an Independent, who was making a speech at Wesson.

Q. Was not that charge a false accusation against you?—A. It was utterly false; not a word of truth in it, or foundation for it.

Q. Was your information that you were so charged by Mr. Matthews in a public speech which he made?—A. Yes, sir.

Q. You paid no attention I suppose, to it?—A. No, further than some of my friends took it up, but I paid no attention to it. I said it is a slander and falsehood, and I will pay no attention to it. But some of my friends did take it up, and I believe got certificates from several citizens there and sent them to Hazlehurst. I do not remember certainly now whether it was published or not, but I think it was, denouncing it as a falsehood. I did understand that the gentleman denied having made the assertion.

Q. That Matthews denied it?—A. Yes, sir. But I know there was a

lot of certificates signed, or statements, to that effect that the assertion was false, and I think there were also certificates from gentlemen who heard him make the speech saying that he did say it. But the thing dropped there and I paid no attention to it, and read but little about it anyway, and the matter ended just there. I happened to be at the meeting, but I was away off from it—I cannot say at the meeting. The meeting was at the hotel at Wesson. The meeting was on the gallery of the hotel, and I was standing looking on there, had not gone into the meeting at all, but was standing away outside of the crowd, and during the discussion there seemed to have been a dispute, or the lie given by one of the speakers to the other, and they were about to get together to fight, and in the scuffle they were separated, and one or two men were arrested and sent to the guard-house, and I went home. I saw that there might be trouble and I knew how they thought about it, that perhaps I was instigating it and I went home. It was only a sort of hurrah and fuss.

Q. Originating between two speakers?—A. Yes, sir.

Q. And for that you were denounced as leading the mob?—A. Yes, sir, to assassinate Yellerley; so Mr. Thompson wrote me from Brookhaven.

Q. Certificates were given to that effect?—A. Yes, sir.

Q. And denied by Mr. Matthews?—A. My understanding was that he denied it. There were certificates that he said it and certificates that it was false. That was about the end of it.

By the CHAIRMAN:

Q. What year was this?—A. This was about two years ago last fall.

Q. In 1881?—A. It must have been about 1881. It was during the Governor Lowry election. Mr. Yelleriey was there making speeches.

Q. There was a report that you were charged with leading a mob to murder this man?—A. Yes, sir; he said it in a public speech. I had three or four certificates. There was Lawyer Thompson, of Brookhaven, and I think two or three other gentlemen, who sent me a certificate to that effect. Our people took it up. I paid no attention to it myself.

Q. Do you not know that Thompson took it back?—A. No, sir; I do not know that he took it back; I never heard that he took that back.

Q. Was not the difficulty that it has been testified to that Mr. Matthews was in, that he charged Thompson with stating this thing untruly about him?—A. That is what I heard. I do not know it to be so.

Q. All that you have stated has been what you have heard, pretty much?—A. But I have the certificates; that is the evidence that I have.

Q. But you heard, did you, at the time, that when it came to Mr. Matthews's knowledge, he called upon Mr. Thompson and denounced this thing as untrue, did you not, and that that was the difficulty which has been spoken of here that he was engaged in?—A. I cannot be positive whether I heard that that was their difficulty. There was some dispute between them and I paid but little attention to it. I heard that they had a difficulty about something that Thompson had said which he denied saying. I cannot say that I understand that that was what it was about.

Q. Do you know the men who were engaged in this band that rode around Copiah County just before the last election, any of them?—A. No, sir; there were none about our place at all.

Q. You do not know what men were there.—A. No, sir.

Q. You have heard the names of some of them?—A. No, sir. I do

not know who was in it. I only heard that there were men going around electioneering, but I do not know who they were.

Q. Do you approve of this bulldozing of negroes, visiting their houses at night, and so on?—A. No, sir; I do not approve of it. I oppose it. I believe in managing things peacefully and lawfully.

By Mr. FRYE:

Q. You do not understand that there has been any testimony offered in this case about your bulldozing your employès or anything of that kind, do you?—A. I understand there has been.

Mr. FRYE. There has not a man in response to a question of mine said anything about it.

By Mr. SAULSBURY:

Q. I understand you to say that the people of that county as a general rule are as clever and worthy people as those of most any other section of the State of Mississippi?—A. Yes, sir: I will tell you in regard to my opinion about them. I think like this: I have been there for thirteen years. I hope you will not consider me a ready witness, but I would like to give you a little history of my experience. For thirteen years I have been there and I have observed the politics of the county and its progress, and I know that the people have borne a great deal of bad government in that county, and they are very sore over it, and as a matter of course that makes the property-holders, and better class of the people there, generally Democrats. I think that is the cause of it, for with our board of supervisors, and the manipulation of our county affairs, the offices there, a great deal is involved; our assessment of taxes and collection of taxes and so on. The board of supervisors regulate all those things and the warrants and the county affairs, and a great deal is involved in that matter, and we own a great deal of property in Copiah County and we feel an interest in having good government, we certainly do, and I think the better class of people are law-abiding. Of course in the Democratic party, as well as in any other party in any country, they have some of the bad element. Whisky oftentimes gets the better of them and influences them to do things they ought not to do, and under excitement at times many things are done that the better class of people do not approve. But I think the majority of them are the best element among the white people. I do not mean to say that that covers the entire voting population of the county. But the intelligent and best element are in favor of law and order. I have talked with a great many who regret anything else except having things done in a peaceable, lawful, and quiet way. That is my opinion of our people.

H. A. EARNS sworn and examined.

By Mr. JONAS:

Question. Where do you reside?—Answer. At Wesson, Miss.

Q. Where were you born?—A. I was raised in Alabama.

Q. How long have you lived in Copiah County?—A. Nine or ten years.

Q. Were you there during the year 1883?—A. Yes, sir.

Q. State whether you were foreman of the last grand jury that met in Copiah County at the last term of the court?—A. Yes, sir.

Q. When was the term held?—A. During the latter portion of September and extended into October.

Q. It extended nearly up to the day of the election, did it not?—A. Yes, sir.

Q. How was your grand jury composed, do you remember, as to white and black, or politically?—A. My recollection is that we had six colored men on the grand jury, and from my knowledge of the parties and their political views I would say to the best of my knowledge that almost two-thirds of that grand jury were Republicans and Independents. It might possibly have been a little less than that.

Q. Will you state whether that grand jury inquired into the nature of the alleged outrages committed in Copiah County previous to the election?—A. In every instance in which it was possible to be done.

Q. Did you investigate any of the evidence made charging offenses to have been committed by a band of armed men which went through the country?—A. There were really no affidavits in that shape came before the grand jury, but we did this: We summoned parties whom we understood had knowledge of such affairs and brought them in in person and had them examined there. They stood their examination, and we procured all the facts, summoned every witness we could get to bring out the cases, and had as full and complete an investigation as it was possible under the circumstances.

Q. Did you attempt to inquire into the killing of Tom Wallis?—A. We did. I was notified by some colored men who were on the jury that a portion of the jury composing the inquest was present in town. The thing, you see, occurred a few days before the meeting of the grand jury, or while the grand jury was in session; I am not positive as to that. But at any rate I heard of it, and I knew it was necessary to inquire into it, and I called the attention of some of the colored members on the jury to our duty in investigating those acts, and said that I wanted it taken up, and wanted them to hunt up witnesses that we might summon them and bring them up. They told me that some of the jury composing the jury of inquest were in town, and I had every one that I could find brought in and we examined them, and they testified before the grand jury.

Q. Did they give testimony tending to fix the crime on any one?—A. They said on the regular investigation, after notifying the widow of Tom Wallis——

Q. Was she present before the grand jury?—A. No, sir; she was not able to come. The members of the jury of inquest sat with them and investigated the case fully and completely. They had notified, the jury of inquest had, his wife that she might give in her evidence without fear or anything of that sort, and asked if she could say who it was that did the deed or could recognize any of the parties, and she said she could not.

By Mr. CAMERON:

Q. Did you hear her say that?—A. That is the evidence of the parties composing the jury of inquest. No, sir; I did not see her myself; she was not there. Well, it resulted in this: She said her husband was shot; by whom, she did not know. She was asked if she had ever seen the party before, and she said no, but she would know him again if she would ever see him, but she didn't. And I was told that the foreman of that jury of inquest asked her the question, if she was afraid to tell, and she said she was not; that she would tell if she knew.

Q. Did you have Handy Fortner before you?—A. Yes, sir.

Q. Did he give evidence before the grand jury?—A. Yes, sir; he did.

Q. Did he show his wounds?—A. Yes, sir; he was asked by some of the members of the grand jury to show where he had been shot. I examined his back myself, and he showed his back to the members of the grand jury.

Q. Did he give any evidence implicating anybody?—A. I can only tell you in his language—I can give you as near as possible what occurred. I told him after administering the oath to him—I asked him what statement he had to make, and he went on to state about an armed body of men coming to his house at night and coming into the yard, and I believe he said he slipped out of the house and got on the outside into the gallery, and they came in and took hold of him and took him out and to the woods and whipped him. I then asked him the question if he recognized any of those parties. He said that he did not; that he thought he did. I asked him if he could see their faces, or if they were disguised. He said to a certain extent they were, and that he did not know them. He stated he had his suspicions who they were. I asked him, then, whom he suspected, and went on and told him if he knew who it was that the members of the grand jury were not allowed to disclose anything told by witnesses, and they would regard that thing as secret, and that he could give it without any fear of anything any evidence that he might wish to. He said that he could not say who it was, but he had a suspicion; he judged from shape of form, of body, but not from feature. I asked him who he thought it was, and he said he thought it was Frank Thompson. I asked why he thought so, what brought about that conclusion, and he said that the man who took him out he thought was Frank Thompson, and the reason for thinking so was that he asked him how many wives he had, and Thompson was the only man who ever accused him of having two wives. I asked him if that was his reason, and he said yes, that was his reason, in connection with having some trouble with him in court, and he having a grudge against him. I said to him, can you say in the presence of Almighty God and in the presence of this grand jury that it was Frank Thompson that took you out and whipped you, and he said he could not. That is the sum and substance of the testimony.

Q. And the grand jury declined to find a true bill?—A. Yes, sir. I took a vote on that question, and there was not a single member of the grand jury that voted in favor of finding a bill against him.

Q. Six of them were colored men, you say?—A. Five or six were colored men.

Q. And eight of independent politics?—A. Yes, sir; including the colored men.

Q. Did you try to investigate other cases?—A. We heard of a good many cases where parties representing Democratic clubs had gone out to political speakings. We found bills and indictments against parties for carrying concealed weapons; that is there were instances where they would go to a public speaking and would pull out their pistols and shoot. We found bills against parties of that sort.

Q. Did you indict any Democrats?—A. Yes, sir; we indicted Democrats on the evidence of anybody who came before us. We endeavored to do our duty impartially and in an impartial manner.

Q. From your knowledge of that grand jury and your own disposition, do you think that bills would have been found against parties accused if they could have been identified in those cases, if proper evidence had been offered?—A. I have no hesitation in saying that every man of that grand jury would have done his whole duty under the oath that he took.

Q. Was the case of Hart brought before that grand jury for shooting Burnet?—A. Yes, sir. We called up Mr. Williamson, who was mayor of the town, and asked him, as is customary, if he had any cases to report or papers to turn over to us. He turned over with the papers to

the grand jury 26 or 27 pages of the testimony in the Hart-Burnet case, besides other papers. We took up the Hart case. We set a day for it, and I believe we spent two days weighing the evidence, going over it fully and completely, and after every member of the grand jury was asked the question whether he was fully satisfied, if he understood the evidence, or if he wanted any individual summoned before them to make further inquiries, they all made the remark that the evidence before them was full and complete, more than they would possibly have gained. It had been drawn out by the different lawyers in the town, I suppose. It was written evidence, signed by the mayor of the place, and we acted upon that, and took a vote upon it.

Q. Do you remember how the vote stood?—A. I do not think there was a dissenting voice; that is the best of my recollection.

Q. You voted to find not a true bill?—A. Yes, sir; not a true bill; that is the way the vote stood; that is my recollection; I did not ever think of being called to say anything about it again, but I think that is right.

Q. There has been a grand jury in session since the one over which you presided?—A. No, sir.

Q. No term of court since?—A. No, sir; our grand jury got through. We finished up all the business on the docket and found that there was no other business on hand, and sent our report to Judge Wharton, telling him that we had finished up everything, and asked to be dismissed, and he dismissed us.

Q. He dismissed you just before election day?—A. Yes, sir.

Q. And there has been no grand jury in session since that?—A. No, sir.

By the CHAIRMAN:

Q. You were the foreman of the grand jury, or whatever name you give to it in your State?—A. Yes, sir; I was foreman.

Q. So far as you were personally concerned, or the opinion of the others went, you have stated what you think they would have done. Was there any doubt that Tom Wallis had been killed?—A. No, sir.

Q. You did not entertain any doubt on that subject?—A. Not any doubt at all.

Q. Nor any doubt that Mrs. Wallis had been shot?—A. No, sir.

Q. I am speaking of the fact of the commission of the offense; they were satisfied of that?—A. Yes, sir.

Q. Was there any doubt of the flogging of Handy Fortner; that he had been grievously abused?—A. I saw marks on his back and was satisfied that he had received a flogging.

Q. That he had been grievously abused and beaten. You would regard it as an iniquity worse than death if it had been done to you, would you not?—A. Yes, sir; I would most assuredly.

Q. And you have no doubt that Mr. Burnet had been shot?—A. Yes, sir; I was satisfied of that from the evidence.

Q. You had no doubt at this time that there were these armed mounted bands of people riding about Copiah County; that was a public and notorious fact, was it not, that everybody knew?—A. I heard that there were parties going around. The way I understood it was parties were going around electioneering in organized bands.

Q. Electioneering at night as well as in the day-time?—A. That was the first understanding that I recollect of, that there were parties who went around but not in anything like disguise.

Q. Did you know at that time who some of the men were who were riding around?—A. No, sir; I did not.

Q. It has been testified by others that a good many people did. Now did your grand jury make any attempt to summon any of those armed mounted men to testify about the shooting of Wallis and the flogging of Fortner?—A. Yes, sir.

Q. Did they bring in any of them?—A. Yes, sir.

Q. Who did they bring in?—A. We brought in several parties to testify.

Q. Give the names of the parties they brought in to testify?

The WITNESS. Do you mean were questions asked?

The CHAIRMAN. No, I ask first if you know who the men were.

A. No, sir; I do not know that I do.

Q. I am afraid we are misunderstanding each other; I will put my question over again. Did the grand jury summon before them as witnesses any of the persons belonging to these armed and mounted bands in the Fortner case or the Wallis case?—A. No, sir; we did not, because I did not know who to summon.

Q. You knew there had been such a band?—A. Yes, sir; I understood so.

Q. Did you have any deputy sheriff, police officer, or detective, or any other person charged with the administration of the law in that county, when you heard that this murder had been committed, go out to find who belonged to that band and summon some of them in to testify?—A. Well, the duty of a foreman of a grand jury——

Q. I wish to know first whether that was done?—A. Well, I had no means of finding out anybody who did it. I had a bailiff at my command, and parties whom I got to serve papers on. But I first had to have something——

Q. Who was the district attorney?—A. Major Foote.

Q. Is he a Democrat?—A. I do not know his politics. I presume he was; I thought so.

Q. He went before the grand jury to aid them as the prosecuting officer does?—A. The district attorney's time is generally taken up in the court-room.

Q. Well, he aids the grand jury and draws up the indictments whenever it is necessary?—A. Yes, sir.

Q. Did you send for Mr. Burnet in the Burnet case?—A. No, sir; we did not send for Mr. Burnet, or send for Mr. Hart, either one.

Q. My question is, whether you sent for Mr. Burnet to testify?—A. No, sir. We asked the opinion of the district attorney if it was necessary to send for the individuals; whether we could take that written evidence we had before us there and thereby make up the verdict, if our minds were satisfied of it.

Q. Do you in cases of homicide or felonious shooting, shooting with intent to kill, felonious assaults, when the person assaulted is in the same town with you, or in any other case, refrain from sending for them and find a bill on secondary testimony?—A. I do not know that such a case as that ever came up.

Q. At any rate you did not do it in this case?—A. Well, we had the testimony there before us.

By Mr. SAULSBURY:

Q. The grand jury, according to your idea, used all diligence to ascertain all crime sworn to in every indictment?—A. Yes, sir; we used every effort possible to bring out every fact in that case that we could.

By the CHAIRMAN:

Q. Are you quite sure that you had Burnet's evidence before you in

that case; had he given his evidence at that time?—A. Mr. Burnet's evidence is in a portion of that written testimony.

Q. Are you sure of that?—A. His deposition is there and the charge made out.

Q. Who took his deposition?—A. You will find it there, I think.

Q. Mr. Burnet had been shot at that time, of course. Now, I wish to ask you again, so that there can be no misunderstanding, do you now affirm that Burnet's account of that transaction had been taken before anybody—Mr. Williamson or anybody else?—A. The case was brought up in the form I spoke of, accusing one Mr. Hart of shooting A. W. Burnet. The case was made out fully and completely. We took the evidence in that case, and it was an admitted fact that Hart shot Burnet, as well as that Burnet cut Mr. Hart—two sides to the case. There was evidence for and against, and we made up the case fully.

Q. Now, my question is this: I inquired if Burnet was before you as a witness, and you said "No;" but you said that Burnet's testimony, given before Mr. Williamson was before you, in writing. Are you not mistaken?—A. I mean by Mr. Burnet's testimony an affidavit made out charging Mr. Hart with shooting him—with attempting to commit murder.

Q. But his narrative of that transaction was not before the grand jury in any shape, was it?—A. You are asking me a question now about a thing that occurred some time ago. My recollection is, that the case was fully made out, and, so far as Mr. Burnet's testimony is concerned, I think the affidavits there stated the fact that Mr. Hart shot Burnet.

Q. But you did not find any bill?—A. No, sir; because we did not think the evidence justified it.

Q. And you came to the conclusion that the evidence did not justify the finding of the bill without taking the evidence of the party assaulted?—A. We took the evidence of at least fifteen or twenty persons who were eye-witnesses to the shooting.

Q. That I dare say; they were all Democrats, were they not?—A. No, sir; not by a great deal.

Q. But you did not take the evidence of the party assaulted, at any rate, did you?—A. I do not know. We did not have anybody brought up before us.

Q. You just took the evidence at second hand?—[No response.]

By Mr. CAMERON:

Q. I will ask you whether you are a Democrat?—A. Yes, sir; I have always been a Democrat.

By the CHAIRMAN:

Q. Did you receive while you were foreman of the grand jury a note from anybody saying, "For Heaven's sake don't throw up your position," or anything to that effect?—A. No, sir; I did this: I wrote up asking to be excused.

Q. Did you not show to Mr. Burrage a note saying, "For Heaven's sake don't throw up your position; the salvation of the Democratic party depends upon your continuance," or something to that effect?—A. I will have to make a statement about that. I was summoned as a member of the grand jury, and I am engaged in business in the town of Wesson that requires my constant attention. I notified some of the parties that it would be impossible for me to attend. I believe I wrote to the sheriff; sent him word that I could not possibly be there; to please

have somebody else summoned in my place, and asking what steps I should have to take. I received a note from parties up there saying they thought it would be necessary for me to be there, that I had better come, and I could put in my appearance and put in my excuse.

Q. Who were the parties from who you received that note?—A. I cannot say.

Q. It was from a number of leading Democrats, was it not?—A. No, sir; I do not say from a number of the leading Democrats. I say I received a note from parties saying that it would be better for me to come up and be sworn in and afterwards make my excuses.

Q. Were they not leading Democrats, the gentlemen who signed this note?—A. I do not know what you consider a leading Democrat.

Q. But were not these gentlemen Democrats?—A. Yes, sir; they were Democrats.

Q. Will you give their names?—A. Well, as well as I recollect, I. N. Ellis was one, and I think Captain Hargrave, the sheriff, probably wrote to me about it that I should have to come up. I cannot say that I recollect entirely all the names.

Q. Was Mr. E. W. Brown one?—A. Possibly he may have been.

Q. Brown and Ellis were both members of this mounted band, were they not?—A. I do not know about that.

Q. Is there a leading Democrat there named Bing Harris?—A. Yes, sir.

Q. Was his one of the names signed?—A. I will give my best recollection. I received a complimentary note saying that I had better come up, that I could not well be excused.

Q. Did not the note say that the salvation of the Democratic party depended upon your serving, or something to that effect?—A. No, sir; nothing of the kind; the Democratic party was not mentioned in that note, or the "salvation of the Democratic party."

Q. Was Mr. Bing. Harris one of them?—A. I think so; I think he was one of those.

Q. This was a joint note signed by several, was it not? Was Mr. Norman one of them?—A. I cannot say. All I can say is I received a note signed by different parties.

Q. Urging you not to throw up your position?—A. No, sir; it was not that; it was saying it was necessary for me to be there, and that I could be excused after I was impaneled.

Q. Do you know whether Mr. Norman had a son in this crowd?—A. I do not know, sir. I did not know there was such a crowd. I do not pretend to say there was such a crowd, for I have no knowledge of it.

By Mr. JONAS:

Q. You were one of four Democrats who were on that jury, were you not?—A. Yes, sir; I believe so.

Q. By whom were the grand jury selected?—A. Selected by the board of supervisors.

Q. Who would have filled your place on that grand jury if you had resigned before you were qualified; who would have been chosen in your place if you had resigned?—A. I do not know; I suppose the judge would have filled it.

Q. But before you were qualified, would not the board of supervisors have filled it?—A. Oh, yes, sir; I understand you now.

Q. What do you think was the reason why your friends asked you to come up and become a member of the grand jury?—A. Well, I will state to you my reasons. The reasons assigned by the parties to me were—

I went up and determined to get off of the grand jury because my personal and pecuniary interests demanded that I should be relieved from it. But I was told that there would be an attempt made to make the grand jury entirely Republican, and that myself and a few others were the only Democratic representatives on that grand jury, and they felt that I ought not to give up my place, but that I ought to remain in possession, and that otherwise—in other words, they considered that the grand jury was gotten up in such a way as to make it entirely a one-sided affair of Republicans and Independents, or Republicans entirely.

Q. They did not want you to withdraw and make it any more so?—A. They preferred to have me remain on it. That is what they said.

Q. This grand jury adjourned, or was dismissed before the last two days preceding the election, was it not?—A. Yes, sir.

Q. That which occurred on the Saturday or the Monday preceding the election was after the adjournment of that grand jury?—A. Yes, sir; everything of that sort occurred after the grand jury had adjourned.

By the CHAIRMAN:

Q. When did they adjourn?—A. I think we adjourned Friday afternoon; I do not remember the date exactly.

J. M. NORMAN sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Copiah County, Mississippi.

Q. How long have you lived in Copiah County?—A. I was born there, and I am near fifty-one years old.

Q. Do you live at Hazlehurst?—A. Yes, sir.

Q. Have you held office in Copiah County?—A. Yes, sir; I have held the office of chancery clerk for seven years preceding the first Monday in January last.

Q. Did you know J. P. Matthews, or Print Matthews, as he was called?—A. Yes, sir.

Q. Did you know him well?—A. Yes, sir; very well.

Q. Did your duties as chancery clerk bring you into intimate knowledge of his business as sheriff and other county positions which he held?—A. Well, his term of office had expired before I went into office, though his records were there, many of them.

Q. Do you know whether Mr. Matthews while sheriff settled with the county of Copiah or the State in full, or whether he defaulted to any amount?—A. He did not settle in full.

Q. Was he a defaulter; if so, to what amount?—A. Yes, sir; he was a defaulter in the sum of $1,207.61, principal, and 25 per cent. interest.

Q. What was done about that; did the county of Copiah bring suit against him for it?—A. No, sir.

Q. Did they make no claim upon him for it?—A. No, sir; the county didn't, but the State revenue agent, General Wirt Adams, did. He called upon him for a settlement.

Q. So the amount due the State was settled?—A. I do not know anything about that.

Q. Was the amount due the county settled?—A. Yes, sir; he settled it.

Q. How long was that after he had gone out of office?—A. That was on the 27th of December, 1880. He went out of office the first Monday in January, 1876.

Q. So that he did not settle the amount due the county for four years?—A. No, sir.

Q. Did he pay up in full or compromise it?—A. I do not know which way he settled it.

Q. Do you know whether Mr. Matthews controlled the action of the board of supervisors of that county or not?—A. Well, sir, he did in a great measure.

Q. Please explain how he controlled their action.—A. Well, I do not know. He did not do it by being before the board very much.

Q. Did he do it by having his men on the board, in a measure?—A. Yes, sir; men that he could influence.

Q. Do you know whether or not he used his power over the board of supervisors to manipulate the grand juries and to put men on grand juries?—A. Well, sir, I cannot remember any particular circumstance to make me know it, yet the atmosphere seemed to be full of that.

Q. The atmosphere around the court-house?—A. Yes, sir.

Q. So much so that you, as a public officer, could smell it and see it?—A. It looked that way all the time to me.

Q. Do you think the grand jury was so manipulated as to have corrupt men put on it and improperly influenced?—A. The board of supervisors that Mr. Matthews could influence always selected a partisan grand jury.

Q. Do you know anything of the case of the State against Cook?—A. Yes, sir.

Q. State what you know about that case—how it was gotten up and who got it up.—A. The first intimation or idea I had that a case would be brought against him——

Q. Cook had been sheriff, had he not?—A. Yes, sir—was by seeing Mr. Matthews and Burnet examining the accounts against public officers that was kept by myself. They came in and examined that, and they examined, I think, the delinquent list of tax-payers and some other records. That was the first idea and notion I had that they were going to try to bring a suit. Afterwards Col. J. B. Jones came in——

Q. The gentleman who has testified here?—A. Yes, sir.

Q. He was a member of the board of supervisors, was he not?—A. Yes, sir.

Q. Well, what did they do afterwards?—A. They appointed a committee to investigate the accounts of Mr. Cook. They appointed Mr. Matthews and a gentleman named Lowe and myself.

Q. Who was Mr. Lowe?—A. Mr. Lowe was an ex-sheriff for the county.

Q. A Republican?—A. He claimed to be an Independent, I believe, or probably a Democrat; but he voted with the Independents or Republicans.

Q. What did your committee do?—A. We examined the records as well as we could, and on the papers reported. We were several days at it, and Mr. Cook in settling his account as tax-collector for taxes proper was ahead all the time; he had paid more money into the county than had been charged against him, or that he had collected. He also received money for lands redeemed or purchased from the State that had been forfeited for taxes. In each case, though, where he received money for that, he took the treasurer's receipt and made a little note of it on his memorandum book. They charged him with all the moneys he had received for the purchase of lands, and in that way brought him out in debt to the county $465.51, less two credits we found afterwards, one of $222.62 and the other of $50, leaving a balance against him, according to their showing, of $272.62. On that the board of supervisors employed Mr. Burnet, Mr. Sessions, and Mr. Cassidy, three lawyers, at a

salary of $1,000 certain and 10 per cent. on all they collected, to prosecute Mr. Cook.

Q. Was Mr. Bufkin a member of the board of supervisors at that time?—A. Yes, sir.

Q. When you were making your examination?—A. Yes, sir.

Q. Did you hear him say anything to anybody when you were making your examination to report?—A. One time I stepped out in front of the court-house door and Bufkin was there, and something was said about making a report, and I do not know the words exactly that Bufkin used, but he said, "We want you to bring out a report favorable to the Republican party."

By Mr. FRYE:

Q. He said so to you?—A. I was standing there; there were several gentlemen standing around.

By Mr. JONAS:

Q. Which Mr. Bufkin was that?—A. Mr. Frank Bufkin.

Q. Do you know what the result of that suit was that was brought?—A. Yes, sir; Mr. Cook compromised with the county by the county paying him $1,000 and costs of the suit.

Q. Did he not get judgment in court first?—A. Yes, sir.

Q. Mr. Burnet has sworn here that during his absence that suit was nolle prossed by the judge and dismissed. Was that so?—A. That is not what his lawyers told me about it.

Q. Did the judge pass that suit?

The WITNESS. Pass it in what way?

Mr. JONAS. Pass it without trying it; did he pass it over or did he try it?—A. Why, the attorneys for the county went in and confessed judgment, I suppose, and admitted it.

Q. After an examination?—A. Yes, sir.

Q. Who were the attorneys for the county?—A. Sessions, Cassidy, and Burnet.

Q. Who were Sessions and Cassidy?—A. Prominent attorneys from Brookhaven.

Q. They were prominent and able lawyers?—A. Yes, sir.

Q. They came to the same conclusion that your committee did?—A. Yes, sir; they came to the conclusion that the county was indebted to Mr. Cook. Mr. A. C. McNeir, the referee in the case, said to me after they had compromised the matter, he says, "If they had left it to me I would have given Cook—I would have decided in Cooks's favor in the amount of between $1,500 and $2,000."

Q. But they gave Cook $1,000. Do you know Mr. A. W. Burnet well?—A. I never knew him until he came to Hazlehurst, a few years ago, to live.

Q. You have known him since then?—A. Yes, sir.

Q. He has been practicing or attempting to practice law in the courts?—A. Yes, sir.

Q. Has he had much practice?—A. He has had very little practice in the chancery court.

Q. Do you know anything as to his character for truth or veracity in the community in which he lives?—A. Yes, sir.

Q. What is it?—A. It is not good.

Q. What is your opinion of him; would you believe him on oath or not?—A. If he testified as he is reported here to have done I certainly would not do it.

Q. In this investigation do you mean?—A. Yes, sir.

Q. Have you read his testimony?—A. Yes, sir; I have read it only as I saw it reported in the Times-Democrat. He said there, or is reported to have said, that Mr. Matthews was the only sheriff who went out of office in Copiah County that was not a defaulter.

Q. Is that true?—A. Mr. Matthews was the second defaulter that I ever heard of in Copiah County. I never heard of but two defaulting sheriffs.

Q. And he was one?—A. Yes, sir; he was one of them.

Q. And that is a matter of general notoriety in Copiah County?—A. Yes, sir.

Q. Do you know anything of a difficulty between Mr. Matthews and Frank Thompson just before the election?—A. No, sir.

Q. Did you hear any rumors or reports about it?—A. Yes, sir.

Q. What was that, in regard to Matthews and Frank Thompson?—A. Thompson told me that he was warned not to go home; that he would be waylaid at the Bayou Pierre bridge.

Q. By whom?—A. Well, a day or two afterwards he had a difficulty with Mr. Matthews, and I understood that that was what it was about; that Matthews was the instigator of the ambuscade, or the attempt to waylay him.

Q. I am asking you about Frank Thompson. What do you say about an ambuscade?—A. He told me he was warned not to go home to Hazlehurst; that he would be waylaid at the Bayou Pierre bridge; and he did not go home.

Q. How long was that before the election?—A. I think about two weeks.

Q. Who was he warned against?—A. He had a difficulty with Mr. Ras (J. M.) Matthews a day or two afterwards about that waylaying, and Judge Wharton prevented them from coming to blows.

Q. You have lived all your life in Copiah County?—A. I am a native of Copiah, and was raised there, but was five years out of the county, from 1855 to 1860.

Q. With that exception you have lived there all your life?—A. Yes, sir.

Q. You know the people of Copiah County well, I suppose?—A. Yes, sir; very well.

Q. You know the Democratic people of Copiah County?—A. Yes, sir.

Q. What is their character? Are they peaceable people and law-abiding people, or the reverse?—A. Well, I have been with a good many people in my life, and I think they are the most patient, conservative people I have ever met with. They are a law-abiding people generally.

Q. I suppose, like in all communities, you have some lawless, desperate men?—A. Yes, sir. I did not speak of the exceptions, of course.

Q. But the testimony you give is in reference to the people as a class?—A. Yes, sir.

Q. The great majority of the people of Copiah County?—A. Yes, sir.

Q. Were you present at the meeting over which Mr. Meade presided, which passed those resolutions?—A. No, sir.

Q. Do you know any of the people who were present?—A. Yes, sir; I knew a good many of them.

Q. Of what class of people was that meeting composed?—A. As a general thing, so far as I know, they were thorough-going people that I would trust with my life, at any time when I was in the right.

Q. Are there some wrong-headed and impulsive people among them?—A. Yes, sir; I think these people who drafted and passed those reso-

lutions were probably the most aggressive and excitable of the Democrats; not altogether so, but generally so.

Q. Do you think those resolutions met with universal approval among the people of Copiah County?—A. Only in a certain sense. So far as the people believed that the Matthewses and their friends might attempt to avenge the killing of Mr. Print Matthews, by killing the people, assassinating them, or burning up and destroying their property, I think they approved them so far as it related to that, and no further.

By Mr. CAMERON:

Q. You have stated, as I understood you, that J. P. Matthews, when he went out of the office of sheriff, was a defaulter to the county in the amount $1,200 and something; is that so?—A. Yes, sir; that is what he paid in.

Q. Have you given in your opinion a full and fair report of that transaction?

The WITNESS. What particular transaction do you mean?

Mr. CAMERON. The fact that he was a defaulter to the county.

A. Well, I do not know how I could be any fairer. I have got the original document, handed me by General Wirt Adams, in my pocket to refresh my memory.

Q. Did Mr. Matthews, at the time he went out of office as sheriff, have a suit pending against the county in regard to certain bonds or warrants that the county had issued, and he claimed that the county in his settlement with it ought to allow him for those bonds or warrants; do you know anything of that?—A. Only by rumor.

Q. You have testified to a great many things that you knew only by rumor.—A. Well, if you will admit that, I will tell you.

Q. They have been admitting it all through your testimony, so you may go on.—A. Mr. Matthews sued the county for a jail bill—that is my understanding—for taking care of the prisoners. He first applied to the board of supervisors for his pay, and they refused to pay it on the ground that he was a defaulter. He then sued for it, and acknowledged his defalcation and lost the suit.

Q. Did he recover a judgment against the county?—A. No, sir; he did not. He acknowledged his defalcation—admitted it in court.

Q. Admitted his defalcation did you say?—A. I did not hear that, but that is the current history of it.

Q. What became of his account against the county?—A. I understand from General Adams that he allowed it to him in his settlement.

Q. Do you know what the amount allowed by General Adams was?—A. I do not know.

Q. By rumor?—A. No, sir; I do not know because he never told me.

Q. Was it not more than the alleged defalcation?—A. It was fifteen hundred dollars. The defalcation, as I have read you, was twelve hundred and seven dollars, and something.

Q. General Adams allowed him fifteen hundred dollars, and he allowed the county twelve hundred and seven dollars?—A. Yes, sir; besides that.

By Mr. JONAS:

Q. Besides that?—A. Yes, sir.

By Mr. CAMERON:

Q. Do you mean to say that he owed the county $1,200 and $1,500, making $2,707?—A. Yes, sir; that is my understanding of it.

Q. But at the time he went out of the office of sheriff he had a claim

against the county, a part of which, or the whole of which, was subsequently allowed to him; is that true?—A. Not by the county.

Q. Well, by General Adams?—A. Allow me, sir, to say this: The minutes of the board of supervisors show there were some little accounts allowed to him, but I am speaking of this particular account of jail-fees of fifteen hundred dollars.

Q. That the county allowed to him?—A. That they did not allow to him.

Q. Who did allow it?—A. If it was ever allowed at all, it was allowed by General Adams when he made a settlement with him. General Adams was a State revenue agent of the State of Mississippi.

Q. An officer under the State government?—A. Yes, sir, to investigate the accounts of public officers and bring them to settlement.

Q. Did not the case go to the supreme court finally, and Matthews and Adams then had a settlement of the whole business?—A. No, sir. It went to the supreme court, I think, sometime before the settlement.

Q. Well, after the suit was decided in the supreme court, it was settled?—A. The suit was brought in 1876, and the settlement was made in December, 1880.

Q. Did you think that Mr. Matthews was guilty because it was said that he was a defaulter 8 or 10 years ago?—A. No, sir.

Q. You do not think, then, that had anything to do with the killing?—A. No, sir.

Q. Do you think that the bulldozing through the county this fall was in consequence of the fact that Mr. Matthews was alleged to have been a defaulter sometime or other?—A. No, sir.

Q. It had nothing to do with it, in your opinion?—A. No, sir; I do not think that was it.

Q. You stated, I believe, that, in your own opinion, the great majority of the people—of the Democrats—of Copiah County are peaceable, orderly, and law-abiding people?—A. No, sir; I did not say it was my opinion; I stated it on my knowledge,

Q. What knowledge have you on the subject?—A. I have a knowledge of the people. I have been knowing them for fifty-one years, nearly.

Q. Your opinion is formed from the knowledge you have of the people?—A. Yes, sir.

Q. So that it is an opinion after all?—A. I know them to be a law-abiding people.

Q. Did you hear anything of the disorders through the county last fall?—A. Yes, sir.

Q. When did you first hear of those?—A. The first I heard was of the killing of Wallis. I do not recollect when it was; whenever it occurred, however, it was a week or two weeks before the election.

Q. It was a little over a week. Did you hear of the shooting of his wife?—A. Yes, sir; I heard of the killing of Wallis and the shooting of his wife. Afterwards, I do not know when it was, but I heard that they had been down at Ras. Matthews's, and that somebody had shot into his store. I do not know how many days it was before the election, but I heard of it soon afterwards.

Q. Did you hear of the shooting of Frank Hayes and his wife?—A. Yes, sir; I heard of that. I think I heard of that the next morning after it was said to have occurred.

Q. Did you hear by whom it was done? I do not mean the individual, but generally who were engaged in it.—A. I have heard different opinions expressed about that. I have heard some people say that they believed that those men who were going around down there election-

eering, night and day, as they call it, did it, and I heard others say that they believed the Independents did it to make capital.

Q. Whom did you hear state that?—A. I do not know. I cannot name the individual, but I have heard it several times where there was company talking.

Q. Did you hear the name of any person who was engaged in that mob, or procession, as some people prefer to call it?—A. Yes, sir; I knew some of them.

Q. Give the names of some of them.—A. I will give you those I recollect having seen. I saw them come into town. A young man named Bailey was one.

Q. Was he a Democrat or Independent?—A. He was a Democrat.

Q. Go on.—A. The Democrats were electioneering, sort of altogether then. They were not mixing with the Independents right at that time.

Q. Give the names of as many others as you can remember.—A. I saw Mr. J. B. Middleton—he took dinner at my house that day—and I know a good many of them if I could just think of them now. Mr. Womack, I recollect, was one. I heard that Mr. Joe Bailey was there, but I do not recollect seeing him. Mr. Ras Wheeler was with them. I saw Mr. Shelton—Mr. John Shelton, I believe it was. I reckon I knew every man in the procession.

Q. Were they all Democrats, so far as you know—A. Yes, sir; all Democrats.

Q. What did you learn they had been doing, or had done?—A. I learned more from a speech that Mr. Bailey made that night than any other way. He told me in his speech—he said they had been down there electioneering;—that they had hauled a cannon around and shot it off, and would fire off the guns on the road, and they would go to the negroes' houses and call them up and electioneer with them.

Q. At night?—A. Yes, sir; that they had not molested anybody, except calling them up.

Q. Do you think those proceedings were strictly according to law?—A. No, sir; I do not know whether it was a violation, or breach of the law, or not. It was not strictly in accordance with law, though.

Q. Do you think that the parties engaged in those proceedings are law-abiding citizens of the county?—A. Well, sir, I have never known those men to commit a breach of the law. A great many of them that I knew there thought that was one.

Q. Do you think that generally they were respectable and law-abiding citizens?—A. Yes, sir; that is the nearest breach of the law I ever knew or heard of any, or the most of them, having committed.

Q. If they had killed Tom Wallis you would call that a breach of the law?—A. Yes, sir; decidedly.

Q. If they shot his wife, what would you say about that?—A. But that occurred before they went down there.

Q. I am not saying they were there then, but would you call that a breach of the law?—A. Yes, sir.

Q. Was your own son with that company at any time?—No, sir; my son was at Oxford at the university.

Q. You say you heard Bailey make a speech that evening?—A. Yes, sir.

Q. I will ask you, in the first place, if those parties when they came in were armed?

The WITNESS. When they came into town?

Mr. CAMERON. Yes.

The WITNESS. Yes, sir.

Q. How and with what were they armed?—A. Some had guns and some had pistols.

Q. Do you know whether or not they had any of the State arms?—A. They did not.

Q. When did the State arms arrive there at Hazlehurst?—A. The night after Mr. Matthews was killed, or the next night—I do not know which—probably the night of the day on which Mr. Matthews was killed.

Q. To whom were they delivered when they arrived there?—A. They were delivered to the sheriff.

Q. Who gave a receipt for them?—A. The sheriff.

Q. Mr. Hargrave?—A. Yes, sir.

Q. Was Hargrave with this mob, I will call them, when they came into town?—A. No, sir.

Q. Did you see him with them at any time?—A. I do not think I did. I do not recollect now. Mr. Hargrave is not an aggressive man, sir.

Q. He is a respectable, peaceable, and law-abiding citizen?—A. Yes, sir.

Q. You think he is as much so as any of the citizens of the county?—A. Yes, sir; or any other county.

By the CHAIRMAN:

Q. I understand you to say that you think the Democrats of this county are the most law-abiding and peaceable people you ever knew, if I understand you aright?—A. No, sir; I did not use that language.

Q. What was the language you used?—A. I said I thought they were the most patient and conservative people I had ever met with.

Q. Have you known people in other parts of Mississippi?—A. Yes, sir; I have known people in Mississippi and in California, and I have been up in Massachusetts, too.

Q. So that the people in other parts of Mississippi, so far as you know them, are less patient and conservative than these?—A. I don't think that any of them had to stand as much.

Q. Now, in regard to Mr. Matthews' defalcation. Do I understand you correctly when I understand you to say that Mr. Matthews was allowed by Mr. Adams certain jail fees or claims?—A. Yes, sir; fifteen hundred dollars

Q. And that the twelve hundred was over and above that; that was still due after that was allowed. Is that true?—A. Understand me now, sir. I understood that from General Adams. I do not swear positively to it.

Q. But that is your understanding?—A. Yes, sir; that is my understanding.

Q. Now, did you not also understand that Mr. Matthews claimed certain warrants for jail fees which were disallowed by the court on the ground that they were not presented within the time that the State required?—A. No, sir; I did not say that.

Q. I did not understand you to have said that, but I ask you now if that was not the case?—A. No, sir.

Q. What was the ground on which Mr. Matthews made a claim which the court disallowed?—A. This is rumor, now; but my understanding was that he confessed that he owed the county; that he was a defaulter.

Q. But he claimed that something should be allowed him which the county refused to allow in the lawsuit.—A. Yes, sir; that fifteen hundred dollars.

Q. And what was the ground on which the court decided that those claims should not be allowed?—A. On the ground that he was a defaulter.

Q. I am speaking now about those claims?—A. Well, according to the law of that State the State does not pay a public officer his dues unless he has paid what he owes to the State.

Q. And Mr. Matthews claimed he was entitled to set-offs in his accounts with the county, did he not?—A. I do not know about that.

Q. There was something carried up to the supreme court as a question of law between him and the county?—A. Yes sir; that suit for fifteen hundred dollars.

Q. What was the claim that Mr. Matthews made of his legal position against the county, as you understand it?—A. I wish to answer that question intelligently.

Q. Perhaps I did not make myself clear. I am not asking what was the amount of money which he claimed which was disallowed, but what was the legal ground of his claim—his side of the case—his story?—A. I do not know the particular legal point on which it was founded.

Q. You do not know on what ground he carried to the supreme court this claim against the county?—A. No, sir.

Q. Mr. Matthews was a man who was responsible; against whom a debt could be collected; he was entirely responsible?—A. Yes, sir; I looked upon him as such.

Q. In addition to his bond?—A. Yes, sir.

Q. So that when you speak of him as a defaulter you have no doubt that any claim against him by the county of Copiah for twelve or fifteen hundred dollars is strictly good, if they get a judgment for it?—A. I have no doubt about it; the settling proved that it was.

Q. And he claimed something which at first the county refused to allow, but on which General Adams afterwards allowed fifteen hundred dollars?—A. I told you that I understood that.

By Mr. SAULSBURY:

Q. You have been inquired of as to what kind of a man Mr. Hargrave was. I want to emphasize that by further inquiry—if he is not regarded as a good and conservative citizen of Copiah County?—A. Yes, sir, he is; decidedly so.

Q. You have known him a good while?—A. Yes, sir, I got acquainted with him during the war some time, and I have been knowing him ever since. I mean I have been meeting him.

Q. From your knowledge of Mr. Hargrave, do you believe that he would do anything towards encouraging violence or murder of any description?—A. Well, Captain Hargrave is not an aggressive man at all. His political policy was a very politic one. He believed in being politic, and believed in persuading the negroes and using arguments instead of violence.

By the CHAIRMAN:

Q. He was rather retrogressive than aggressive when they wanted him to stop that mob, was he not?—A. I do not know that he had an opportunity of stopping the mob.

Q. Do you regard Ras Wheeler as a good and respectable citizen?—A. I looked upon him as such, except so far as the killing of Matthews was concerned, and that is a thing I am not prepared to judge of yet. That is in the court.

Q. But if you had been asked about it, leaving out the killing of Matthews now, you would have said Erastus Wheeler was one of those worthy, patient, and law-abiding citizens, would you not?—A. I would

not have said patient. There is no comparison between his patience and Captain Hargrave's.

Q. Are you one of the the board of alderman?—A. Yes, sir.

Q. You are one of the persons who appointed Wheeler marshal of the town after the murder of Matthews?—A. Yes, sir.

H. B. JOHNSON (colored) sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Hazlehurst.

Q. How long have you lived in Copiah County?—A. Thirty-seven years.

Q. Were you in Hazlehurst on last election day?—A. Yes, sir.

Q. Did you vote?—A. Yes, sir.

Q. What ticket did you vote?—The Democratic ticket.

Q. Do you know whether there were many colored men voted that ticket or not in that county?—A. Yes, sir; a right smart of them voted it.

Q. Do you know whether many colored men had abandoned the Independent party or not before the election?—A. Yes, sir.

Q. What was your means of knowledge; how did you ascertain that fact; did you canvass the county?—A. Yes, sir.

Q. In the interest of what party?—A. The Democratic party.

Q. Were those votes cast voluntarily, and without any coercion?—A. Yes, sir; all I seen was cast voluntarily.

Q. And with good will?—A. Yes, sir.

Q. How many colored men do you suppose voted the Democratic ticket in your precinct, or part of the town?—A. Of my own knowledge about 100 there, on the west side of the railroad, at the court-house.

Q. Were there many others on the west side of the county?—A. I was only there at Hazlehurst the day of the election.

Q. But when you canvassed through the county did you find many colored people disposed to vote the Democratic ticket?—A. Yes, sir.

Q. Of their free choice and will?—A. Yes, sir.

Q. What reason did they give for it; did you talk with them and reason with them?—A. Yes, sir, I did.

Q. What were their reasons for quitting the Independent party?—A. A great many had been Republicans, and as there was no Republican ticket in the field they desired to vote for such men as they thought best to fill the offices.

Q. And they thought the Democratic ticket was a better ticket than the Independent ticket?—A. Yes, sir; they said of the two evils they would take the choice.

Q. That is, they preferred the men on it?—A. Yes, sir.

Q. Did they have confidence in the good people of Copiah County; confidence in the Democratic candidates and party?—A. Yes, sir; all those that I talked with did.

Q. That they would protect them in their rights and property if they went with them?—A. Yes, sir.

Q. There were no disturbances about Hazlehurst, were there?—A. Not that I seen.

Q. I mean no voters were disturbed or outraged?—A. No, sir; none that I know of.

Q. You were in the canvass, you say, a good deal?—A. Yes, sir.

Q. And went about the county?—A. Yes, sir.

Q. How did you think the election would result?—A. I thought the colored people were equally divided.

Q. You thought a great many of them would vote the Democratic ticket?—A. Yes, sir.

Q. What party did you think would carry the county?—A. I thought the regular Democratic ticket would.

Q. Did you think the Democrats would carry the county if there had been no disturbance of any kind?—A. Yes, sir.

Q. That was your impression before the election?—A. Yes, sir.

Q. You had been through the county?—A. Yes, sir; in portions of beat 3 and some in beat 4, and I canvassed beat 5 thoroughly.

Q. You say you talked with a great many of your own people?—A. Yes, sir.

Q. And that is your impression of the condition of that county?—A. Yes, sir.

Q. You have lived all your life among the people of Copiah?—A. Yes, sir.

Q. Of course you were a small child when the war was over?—A. Yes, sir.

Q. What have been the relations between the white and colored people in Copiah County since the war and since the colored people have had their freedom?—A. There has been a great deal about politics.

Q. They have been peaceable and friendly?—A. There has always been a little stirring when politics came on.

Q. But outside of politics how were they—of a friendly character?—A. Yes, sir.

Q. Have the white people been well disposed towards the colored people?—A. Yes, sir.

Q. Have protected them in their person and property?—A. Yes, sir; outside of politics.

Q. Any trouble that occurred grew out of politics?—A. Yes, sir; out of politics.

By the CHAIRMAN:

Q. Do you know of the running off of hands on Mr. Matthews's place in the western part of the county? Did you hear of their leaving and going to Kansas?

The WITNESS. What year was that?

The CHAIRMAN. Since election this year?—A. I have heard of a great many leaving the county, and all that; I do not know that, it is just a rumor.

Q. A great many colored people left the county because they thought they were not safe there?—A. From what I heard they said they were bulldozing beat 3. That is a mere rumor; I do not know about it.

Q. Did you hear of Daniel Crump's house being burnt up?—A. I may have heard it and forgotten it.

Q. Did you hear of the killing of Wallis and the shooting of his wife?—A. Yes, sir.

Q. And the shooting of Frank Hayes and his wife?—A. Yes, sir.

Q. And the flogging of Handy Fortner?—A. No, sir; I never heard about Fortner; if I have I have forgotten it.

Q. Did you hear of Moses Smith being knocked in the head and his Republican and Independent tickets being taken away from him?—A. Yes, sir; I believe I did hear of that.

Q. Did you hear of Solomon Smith being knocked in the head and his tickets being taken away from him?—A. No, sir; I do not think so. I do not think I knew him.

Q. You do not call that living on very pleasant terms with the white people or being protected?—A. Well, he asked me outside of growing out of politics.

Q. And I understand you to say that the Democrats or the white people there would protect the colored men there if they went with them?—A. Yes, sir; that is what I think.

Q. Now, you had been canvassing this county for some time before the election as a Democratic canvasser, hadn't you?—A. Yes, sir.

Q. Were you not the person who was recommended as the Republican inspector by the Democrats?—A. I suppose so. Yes, sir; I was.

Q. Being a Democratic canvasser they recommended you as a Republican inspector, and was it not to get Governor Lowry to prevent that being done that you understood Mr. Burnet had gone to Jackson when he was shot? Do you not know that Mr. Burnet went to Jackson to get somebody else appointed Republican inspector?—A. No, sir; I do not.

Q. There was somebody else appointed by Governor Lowry, was there not?—A. Yes, sir.

Q. Were you paid for canvassing; did you have a certain sum a day for canvassing?—A. No, sir; they have not paid anything.

Q. Did they not agree to?—A. No, sir; they made no agreement.

Q. How happened you to do the canvassing?—A. Because I wanted to bring about peace and harmony among the colored people in Copiah County, and there had been a strife among us.

Q. Had you not been a Republican?—A. Yes, sir; for fifteen years; but after there was no Republican ticket in the field I proposed to vote as I pleased.

CURTIS ROBINSON (colored) sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live 3 miles southwest of Hazlehurst.

Q. Do you vote at Hazlehurst?—A. Yes, sir; on the west side of the road.

Q. How long have you lived in Copiah County?—A. Seventeen years, I believe—sixteen or seventeen.

Q. Did you vote there at the last election?—A. Yes, sir.

Q. What ticket did you vote?—A. The Democratic ticket at the last election.

Q. Had you previously been a Republican?—A. Yes, sir.

Q. Why did you vote the Democratic ticket?—A. For the last four or five years I have been scratching the ticket a good deal and voting for who I felt disposed to vote for.

Q. Was there any Republican ticket in the field last election?—A. None but Leon Matthews. The balance were Independent Democrats.

Q. Then in voting you chose what you thought was the best ticket?—A. Yes, sir; that was my understanding.

Q. Did many of the colored men vote like you?—A. I do not know how many others voted, but I know how I voted.

Q. You know others voted that way?—A. They said they did.

Q. Did they say it was for the same reasons that you had?—A. Yes, sir; I had conversation with them to that effect.

Q. There was no coercion used towards you; nobody forced you to vote the Democratic ticket?—A. Nobody opened their mouths to me at all.

Q. You did it of your own free will and choice?—A. Yes, sir.

Q. You have lived among the white people of Copiah County a long time. What sort of people are they?—A. Well, in general they are all a very peaceable and quiet people, only in times of elections, then there is always a little dispute betwixt the two parties.

Q. Generally good relations exist between the two races?—A. Yes, I always get along with them.

Q. You always found the white Democrats friendly?—A. Yes, sir; I always got anything out of them I wanted—money or anything else.

Q. They never persecuted you on account of your political sentiments.—A. No, sir, they never did.

By the CHAIRMAN:

Q. Did you know of the colored people taking to the woods for some weeks before the election in large numbers?—A. I heard of it. I did not know it.

Q. What do you think of that for friendly relations?—A. I do not know the reasons why they went. I do not know the virtue of it.

Q. If it should turn out they went because the white Democrats visited their houses and flogged some and threatened others and fired some of their houses, you would change your testimony about the pleasant relations. You do not call that pleasant relations, do you?—A. Well, I do not know what it was done for, you see.

Q. Do you call that pleasant relations?—A. No, sir; not at that time, I do not.

Q. And if that is true, you would say their relations were not pleasant?—A. No, sir; not at that time.

By Mr. JONAS:

Q. There was nothing of that kind about your residence, was there?—A. No, sir.

By the CHAIRMAN:

Q. Did not Charlie Oliver have to leave Hazlehurst and lie in the woods?—A. I heard so; I never saw him.

By Mr. CAMERON:

Q. Is he colored man?—A. Yes, sir.

Q. Why did you understand that he had to leave and lie out in the woods?—A. I heard they said they were going to kill him.

Q. Who?—A. The Democratic party; but what for I do not know; I did not ask any questions about it.

By the CHAIRMAN:

Q. I would like to ask you about Robinson, who built Print Matthews's tomb after he was murdered; didn't he have to leave before he finished it?—A. He left, but I do not know for what he left.

Q. You undersand that he left because he was afraid to stay?—A. I understood he did, but I never heard a word said against Robinson by anybody.

Q. He was a good man, was he?—A. Yes, sir; he was a good man.

Q. And Oliver was a good man?—A. Yes, sir; he was a good man, only he talked a heap when he was drinking, just like any other man who was drinking.

Q. But you understood that both left Hazlehurst because they were afraid the Democratic party would kill them?—A. Yes, sir; that is the understanding; that is what I heard; not that I knowed anything about it.

Mr. JONAS. To-morrow is a legal holiday throughout the country, there is to be a procession here, and the day has been celebrated from time immemorial, and I therefore suggest that the committee should adjourn at 12 o'clock.

The CHAIRMAN. We should not ordinarily sit on the 22d of February, it being a legal holiday, but many of the witnesses are here from a distance, and the committee are here from a greater distance, and we suppose it will be for the convenience of all of us to occupy as much of the time as we properly can. But I understand there is to be a ceremonial service of great interest to a large portion of this community. We will, therefore, adjourn in time for any persons who choose to attend that service. The committee will, therefore, meet punctually at half-past 9 and adjourn at 12.

The subcommittee then adjourned until Friday morning, February 22, 1884.

NEW ORLEANS, LA., *Friday, February* 22, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas.

Mr. SAULSBURY. Before calling any witnesses I desire to make a statement before the committee. I have never in my life noticed in a public manner anything that has been said of me by a newspaper. Public men must expect criticism; that is one of the perquisites of their position. And I would not now do it except for the fact that I hold in my hand a paper whose correspondent is an attaché of this committee; and, while I care nothing for the remark made about myself, I feel it is due to the gentleman who sits at my side [Mr. Sexton] that I should call the attention of the committee to the matter.

In the New York Times of February 19, in a communication dated New Orleans, La., February 18, I find this:

> Those who sat and listened to the testimony taken before the Hoar investigating committee to-day obtained a strange insight into the political methods which keep Mississippi in the Bourbon fold. Stories of whippings and of the shooting of colored people, of white men murdered and their buildings burned, of sudden resort to the pistol, of ballots uncounted, and of negroes hiding in the woods, were told so circumstantially that they apparently left no room for doubt. Next to Senator Saulsbury, as his adviser, sat one of the instigators of these outrages, watching each witness with a look that made some of the negroes tremble.

Now, in the first place, I do not care whether the correspondent of that paper sees proper to circulate through the country in the columns of the New York Times that I am in association with the instigators of murders and whippings or not, so far as I am concerned. But I know the gentleman who sits at my side, Mr. Sexton. He is here in answer to a telegram which I sent to him, and I do feel bound to say, in justice to him, that such an utterance in reference to Mr. Sexton is a slander and is false; I will not say it is malicious, for I hope it was done ignorantly and unadvisedly. I do not intend that Mr. Sexton, who sits at my side, shall, by an attaché of this committee, be represented as an instigator of murder and of whippings without calling the attention of this committee to it; for that attaché is paid by the Government of the United States for the services which he renders to this committee, and I do not intend that it shall escape the notice of the committee that its employé—paid by the Government of the United States—is uttering that in reference to a member of this committee, and about those with whom he associates, which is wholly unjustified and untrue.

I should not have noticed it if I alone had been affected by it. But I am held up as the associate and as taking counsel of an instigator of murders and whippings and of violations of law. That would not affect me in any community where I am known, and I would not notice it if it had not been that the gentleman who sits here at my side, at my instance, is the subject of abuse and slander which I do not intend shall go unnoticed before this committee.

As I came down to this place I saw criticisms about our bringing a reporter of the press with the committee in order to fire the Northern heart. I paid no attention to it. The chairman of this committee explained to me why he had selected this gentleman to come here, and I was perfectly satisfied. But I am not satisfied that an employé of this committee shall send out representations which might affect me in a community where I am not known, and which do great injustice to my friend who is here at my request. Mr. Sexton has been slandered as the instigator of murders and whippings when there has never been one syllable uttered by any witness that reflected upon him in the least possible degree. On the contrary the testimony has been that he was opposed to all these things. And yet, sir, an employé of the committee and the correspondent of that paper (as I have a right to infer, for he told me he was the correspondent of this paper himself on our way down here) has seen proper to publish that language to the world. As I have said, I care nothing about it on my own account, for no man who knows me will ever believe that I would affiliate or associate with any one whose hands were imbrued with blood, or who was an accessory before or after the fact, of murder.

The CHAIRMAN. I do not see that there is anything in what you have read which makes any charge at all that affects you, Mr. Saulsbury. Whether there is anything relating to Mr. Sexton which is proper or improper I do not say.

Mr. JONAS. I want to say, by way of protest, that I consider it manifestly and grossly improper that the secretary of this committee, who is an officer of the United States Senate, appointed by this committee to perform public duties, and paid by the Government (while I have no objection to his being a correspondent of newspapers), shall telegraph from one end of the country to the other partisan views and expressions and representations of the evidence being taken before the committee of which he is a servant and employé. I do not consider it to be the duty of any employé of a committee either to slander the committee or to misrepresent its witnesses. I think the head lines of this dispatch are partisan and full of misrepresentations. I think the dispatch is full of misrepresentations. I have no objection to the gentleman who is secretary of this committee telegraphing to papers which he may represent a synopsis of the evidence which is taken before the committee, which is all that is given in the daily papers of this city, but I do object to his sending partisan and colored reports to the newspapers of this country at the same time that he is receiving pay from the Government as a servant and employé of this committee, and as such just as much of an employé and servant to Mr. Saulsbury and myself as to the members of the majority of this committee. The letters are not a plain statement or synopsis of the evidence. The head lines are "Southern Outrages;" "How Bourbon Rule is sustained in Mississippi;" "The heart-rending tales told before the committee in New Orleans," &c. And the charge is made, I think, against Mr. Saulsbury, a respectable member of this committee, and one of the oldest members of the Senate, that he has as his adviser one of the instigators of the outrages which

are being investigated by the committee, a fact which is wholly untrue and unsustained by a tittle of evidence offered by any of the witnesses. On the contrary, the witnesses introduced by the majority of this committee have, in every instance, where they have alluded to Mr. Sexton, especially excepted him from any such charges, and several said they went to consult him as a well-known friend of law and order. I think it is not only a scandalous imputation against this gentleman who is with us, but against Senator Saulsbury as a participant with him, and I think these charges come with very ill grace from an employé of this committee.

The CHAIRMAN. It does not seem to me that there is anything in that dispatch which reflects upon Senator Saulsbury. I entirely differ with the two gentlemen in that particular. The question of whether it does, or not, an injustice to Mr. Sexton we can determine better when the whole case is over.

Mr. SAULSBURY. So far as I am concerned, I shall be very reluctant to place my honor and reputation in the keeping of the chairman of this committee if he considers the charge of association with persons instigating murders as not a reflection.

The CHAIRMAN. I do not understand the words to mean that.

Mr. SAULSBURY. I have not been taught in that school which would recognize any insinuation of that kind against a gentleman as either proper or decent. I hope I shall never be so lost to my own sense of self-respect as to regard such an insinuation as either proper or just.

The CHAIRMAN. We will proceed now with the testimony.

J. H. THOMPSON sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live in Copiah County, Mississippi.

Q. How long have you lived there?—A. I have been there sixty years or over.

Q. What part of the county do you live in?—A. I live at Beauregard, 10 miles south of Hazlehurst, on the line of the railroad.

Q. I suppose you know the Matthews family of that county?—A. Yes, sir.

Q. Have you known them for many years?—A. Yes, sir; as long as I have known any family.

Q. What is the general character of the members of that family as lovers of peace and good order, or otherwise?—A. I am sorry to say I do not think they are regarded by the better part of the community as being—the male members of them—anything of a good family.

Q. Will you state what you know about the family during the last 40 years?—A. Well, probably forty-five years ago there was an attempt made to run the father of this J. P. Matthews out of the country.

Q. What fact do you remember?—A. The charges they made against him were that he was harboring his brothers who were considered horse-thieves.

Q. That was long before the war and the present political divisions, wasn't it?—A. Yes, sir.

Q. There was no politics in that, was there?—A. No, sir; no politics. It was a sort of regulating party composed of the citizens of Lawrence and Copiah Counties.

Q. Did you know Mr. J. P., or Print, Matthews?—A. Yes, sir.

The CHAIRMAN. I do not think a statement about what occurred forty-five years ago is proper.

By Mr. JONAS:

Q. You knew J. P. Matthews, one of the sons?—A. Yes, sir.

Q. What was his reputation in the community as a lover of order?—A. At the end of the war he turned out to be a very violent politician; I never heard him make a speech; I never have been in the habit of attending political speakings.

Q. Was he a peaceful man in his modes?—A. I am told he was very insulting in his speeches and very inflammatory. I considered him the worst enemy to the county we ever had there, because he stirred the colored people up against the whites all the time and kept the negroes prejudiced against the white people.

Q. Were his speeches, by general report, of that character, calculated to inflame one race against the other?—A. That was my general understanding of his speeches.

Q. Was that the general understanding through the county?—A. Yes, sir.

Q. Do you know any of the other members of his family?—A. Yes, sir; there was one younger brother that I do not know much about.

Q. Do you know the brothers who have testified here?—A. I know Ras Matthews, and one called Gall Matthews; I know them very well.

Q. What is the reputation of those men in the community?—A. Pretty much on the order of their brother.

Q. Violent or peaceable men?—A. They are considered while they have power as very violent and overbearing, and stirring up the negroes against what they call the Democrats; I call it the white people, stirring up the colored race against the whites.

Q. Did you know anything of the connection of J. P. Matthews with the board of supervisors or of any control he exercised over that board?—A. My impression is from what I have seen and heard that he had control of the last board of supervisors pretty much.

Q. Who composed the majority of that board?—A. Mr. Jones and Mr. Bufkin and a man named Jones, from Crystal Springs, who were his political friends.

Q. Did they seem to be thoroughly under his influence?—A. That is the general impression; that they did what Matthews wanted done.

Q. Did the board of supervisors select the grand juries?—A. Yes, sir.

Q. What was the general action of that board of supervisors in relation to selecting grand jurors?—A. With the exception of two of the members who were not under Matthews's influence they selected the worst enemies that the white men had, what they called the Democrats had, in the county; men whom we thought—I had a conversation with a good many persons about it—would not punish men belonging to their party, but would punish men belonging to the opposite party.

Q. Men who were generally thought to be unfair and corrupt?—A. Yes, sir; that were not considered fair men. I could not give instances of all, but that was the character of the grand jurors that they appointed.

Q. The general impression was that the grand jury was packed and was not formed in the interest of the people?—A. Yes, sir; that is exactly what I thought, and all I conferred with, thought.

Q. What beat do you live in?—A. Beat No. 2.

Q. Have you a place in beat 3?—A. Yes, sir; I was raised and lived in beat 3 until since the war.

Q. Were you in or near that beat on the day before the election?—A. Yes, sir; I was at my place the day before election.

Q. Had there been any trouble on your place or in your neighborhood among the negroes?—A. The negroes on the place told me that some parties passed by there on their way to the speaking at different precincts beyond there, and they had a cannon and fired the cannon. I asked them if they interfered with them and they said they did not. I found all the negroes at home at the place on Monday, the day before the election, and the negro men said nothing to me about it. Two or three women asked me what I thought it meant and all that, but they did not appear to be alarmed about it.

Q. Do you know Frank Thompson?—A. Yes, sir; I do know him well.

Q. Is he any relative of yours?—A. No, sir.

Q. What part of the county does he live in?—A. He lives 8 miles from Wesson, right west, in district No. 3.

Q. Do you know anything of an attempt to assassinate him during the term of court, and shortly before the election?—A. I will tell all I know about it. I received word during the first week of our circuit court, probably not more than a week before the election, through a friend of mine in Beauregard, that a nigger had reported there that the Matthewses were going to have Thompson killed that night on his way home there from court at Hazlehurst, and insisted as he did business with me and we were friends that I should telegraph to Thompson at Hazlehurst not to go home the usual route. I said, at first, "I do not think there will be anything of it." Well, he says, "You had better do it," and I took a second thought, and I said, "It will cost nothing and be but very little trouble, and if Thompson should be killed I would blame myself for it So I telegraphed him not to come the usual route home, but to come by and see me on his way, and he came by, and I told him what I had heard.

Q. What did he do?—A. He went on home a different way. Since that I interviewed the negro who told this friend of mine in Beauregard what he had heard, and he told me that a negro living there on Gall Matthews's place by the name of Arthur Covington told him that the Matthewses were going to lay in wait for Frank Thompson and kill him. What the fact was I do not know.

Q. Did Frank Thompson get that information?—A. Yes, sir.

Q. Do you know whether he believed or credited it?—A. Yes, sir; Frank believed it.

Q. Did the thing become generally known throughout that part of the country?—A. I suppose so. I have not heard much said about it. I never heard anybody say that they thought it was so, except Thompson. I know he was very uneasy about it.

Q. And believed that such a plot existed?—A. I tried to persuade him that it was not so, but he was satisfied they were capable of it.

Q. Do you know anything about the killing of Tom Wallis?—A. No, sir; I heard something about it.

Q. Have you heard any reasons ascribed for it or explanation of it; if so, state?—A. Yes, sir.

Q. Is it the one that was generally bruited through the country and credited?—A. I had some talk with some neighbors before and after Tom Wallis was killed; and I have heard this about Tom Wallis: that he lives near Ras. Matthews's store in the country there, and there is a law in our State against selling seed cotton at night, and I know one thing, that I have had a good deal of cotton carried from my place in the seed and I never knew where it went to, but I have heard it said that the impression was that Wallis would buy the cotton at night and

take it to Ras. Matthews's store next day and deliver it to Matthews, and that Matthews was really buying cotton through Wallis. I heard that said against Tom Wallis, and I know the people were stirred up in regard to him on that account. And then I have heard that he was accused or thought to be a cow thief, stealing cattle.

Q. Was that the general impression through that part of the country?—A. Yes, sir; that is what I have heard from more parties than one.

Q. Was it generally talked about?—A. Well, the cow stealing was; I have heard that repeatedly, time and again. And I have this other, but not as often, about the cotton matter, but I have heard it in the neighborhood there.

Q. Do you think that was the cause of the killing of Wallis, or was it due to political causes?—A. Well, I do not know who killed him, but I put it up in that way.

Q. What was the general impression there in regard to his killing?—A. After the old fellow was killed I heard very little said about it. I heard this suggestion made: that probably the Matthewses had him killed in order to set the negroes against the white people. I heard that—some suggestions thrown out. No one seemed to know about it.

Q. Do you know Mr. Burnet?—A. Not very well. I have seen him since I have been in the county, but I know very little about him.

Q. Do you know Mr. F. M. Bufkin?—A. Yes, sir.

Q. And Joe Jones?—A. Yes, sir.

Q. What is the character and standing of those two men in your community; they were both supervisors?—A. Yes, sir. They were considered to be under the influence of J. P. Matthews, and the general impression has been among what I consider the better class of white people, that a man who was considered under J. P. Matthews' influence was not considered a very good man.

Q. Simply because he was under his influence, or because of acts that he committed?—A. That they were tools in Matthews' hand.

Q. And were they regarded so generally in the county?—A. Yes, sir; that is the way I understand it.

Q. You say you have lived in Copiah County for sixty years; I suppose you know nearly everybody there?—A. I used to know everybody, but I have grown old, and do not know as many now.

Q. You know the white people—the Democrats?—A. Yes, sir; a great many.

Q. What is the general character of those people as a law and order people, or otherwise?—A. I think they are as good people as there is anywhere, and I think they have shown a great deal of fortitude, and have borne a great deal, and I predicted and told Matthews several years ago, that I did not think he would live half this long; but the people have borne with him and endured him until it seemed to me that they would die anyhow.

Q. You think a great majority of those people are lovers of law and order?—A. Yes, sir; there is no doubt about that. I would not stay in a country that I did not think was composed of those people.

Q. Were you at the meeting which passed the Copiah resolutions?—A. No, sir; I was not.

Q. Do you know anything about that meeting, and of whom it was composed?—A. I will give you my idea about that meeting. The day of the election, after Matthews was killed, the impression went out through the county and came to me where I was, that they apprehended some trouble; and I think the younger men, the more thoughtless men,

though good men, men of good character, assembled there, and I think those resolutions were gotten up by that class of men. But whilst they are honest, faithful, good citizens, they are easily moved; and the excitement was very great, and I think those are the kind of men who drafted those resolutions. I think if the older and sober men of the county had been there, those resolutions would not have been indorsed as fully as they were. I think some of the resolutions would have been passed by some of the best men of the county, but others would not.

Q. Do you think they were passed by hot headed young men?—A. I would not say they were hot headed under ordinary circumstances, but those circumstances were very extraordinary. There had been a good deal said in the canvass and we were stirred up more than I ever saw before. Though I was not out much I could see in my communication with those I did see, that the white people were stirred up and they had endured until they were wearied. I think that if the same body of men was called together now that the excitement has passed off, I do not think that they would indorse those resolutions.

By the CHAIRMAN:

Q. What is your first name?—A. J. H. are my initials.

Q. Jesse H.?—A. No, sir; John H.

Q. You were not among that procession or party that rode on horseback?—A. No, sir.

Q. Did you have any relatives there?—A. I did not see them at all. I understood there was one of my nephews there, so I heard; I do not know it.

Q. What was his name?—A. Jesse. I have not seen him since and do not know only what I have heard.

Q. You have spoken of Mr. Burnet. Do you suppose if Mr. Burnet were to go back to Hazlehurst to live that he would be murdered?—A. I have no idea that he would; no, sir.

Q. You knew by reputation or personally some of the members of this band that rode about?—A. Well, I have heard several that I know that was in there.

Q. Are they men of good character?—A. I do not know whether I would call them a band.

Q. We both know what that means. I want to know if the men are of good character?—A. Yes, sir.

Q. They were?—A. Well, I do not say all were of good character, but some of them were.

Q. You include them in the denomination of the better class of white people who did not think well of Mr. Matthews?—A. Yes, sir; some of that crowd belonged to a pretty good class of people.

Q. Were you present at a joint discussion between Mr. Burnet and the Governor of the State, Governor Lowry?—A. I was.

Q. When was that?—A. That was before the last election for Governor, two years ago last fall.

Q. A political debate in which Mr. Burnet was on one side and the Governor on the other?—A. Yes, sir; I did not hear all of Burnet's speech. I heard him the night before, and I was so disgusted with his speech that I went off and did not hear it all.

Q. You say that Mr. Matthews stirred up the negroes against the whites. What did he ever say except urging them to vote the Republican ticket, that you know of?—A. I never heard him make a speech at all.

Q. You have no personal knowledge of these things?—A. No, sir

that is what I said; I never heard him make a speech; I heard it from other people.

Q. What did he stir up the negroes against the whites to do? Did he tell them that it was their interest to vote for the Republican party, that it was the party of peace and good government, and that the Democratic party was the party of disorder and violence?—A. He did not seem to dwell so much on the virtues of the Republican as in abuse of the Democratic party.

Q. What did he say about the Democratic party?—A. I understood that he would do just this, to demonstrate what I mean. I heard of some things that he said once about the Democratic party. I was familiar with him. I recollect him from his birth; I was at his father's wedding when he was married, and I said to him, "Print, what do you mean by making these wholesale charges, so utterly false?" "Oh," he said, "the niggers don't know any better."

Q. When was that?—A. Several years ago.

Q. What were the charges?—A. I do not recollect now.

Q. Do you recollect a single charge that he made?—A. Such charges he was making all the time.

Q. What were they?—A. Anything in the world that he could think of that he thought would keep the negroes from voting with the Democrats.

Q. What were they? You cannot tell a single thing that he ever said except they were speeches that you did not like?—A. I never heard him speak at all.

Q. Is there any leading active Republican in your county, on the committees electioneering among the white and colored people, whom you think is a man of high character and good standing?—A. Yes, sir; we have got them, and this man, Judge Millsaps, is, too, a very fair man, and Judge Peyton. I believe he is acting with the Democrats now. I used to hear him talk.

Q. He has improved in his character since he has begun to act with the Democrats, I suppose?—A. Yes, sir; I think so.

Q. Now, is it not your opinion that all Republicans are a mean, detestable set of fellows; and if they were run out it would be a good thing for the country?—A. Oh, no, sir; but I will say that Republicanism here in our State and county is different from in your State and county.

Q. What do you know about our States?—A. I read in the newspapers about it.

Q. But the papers you read represent us as about the same class of people, do they not?—A. No, sir; I do not think so.

Q. In regard to this matter of Frank Thompson's danger. If I understand you, somebody told you something—what is the name?—A. Mr. Lusk.

Q. He told you that a nigger said that another nigger told him that the Matthewses were going to kill Frank Thompson. That is the story, is it?—A. Going to assassinate him that night on his way home.

Q. Lusk told you that a nigger told him that another nigger told him that they were going to kill Frank Thompson?—A. Yes, sir.

Q. And you think that evidence was enough to justify the killing of Matthews or Wallis?—A. Wallis was already killed, if I understood it. No, I would not kill Matthews on that myself.

Q. You would have consented to leave out at least one of the niggers in the chain?—A. If I ever kill a man it will be in self-defense. I will kill no man in any other way. I never killed one, and do not want to.

Q. Do you approve of the conduct of this mob of men who rode around?—A. Well, I approve of the motives these young men had in view. They wanted to make a demonstration and attend the speaking, and they took a cannon to sort of attract attention, but I don't think they intended to hurt anybody.

Q. Did you approve of their going to the negro houses at night, or the whipping of Fortner?—A. No, sir.

Q. What have you ever said against it to put down such things?—A. It was all over before I knew it. I was not accessory to it in any way.

Q. Have you ever discouraged such things in your neighborhood at all; do you think bulldozing, as it is called, is right or justifiable?—A. No, sir; I do not think it is right.

Q. Which do you think the worst, doing that or having the Republicans carry the county of Copiah, if you had to choose?—A. Well, I do not want the Republicans, or Independents, or whatever you call them, to rule our matters in the county any longer.

Q. Which do you think is the worst, having these people if they are the majority carry the county by a fair vote, or the bulldozing and whipping of these colored people?—A. I am opposed to whipping and killing.

Q. You are opposed to both; but which do you think is the worst on the whole for the community?—A. It would be the worst, I think, for them to be whipped.

Q. Which do you think is the worst, to have these things continued, or to have the Independents or Republicans continue to carry the county on a fair vote?—A. I do not think that that is a fair question.

Q. I do. I want to know your degree of abhorrence of opinion?—A. I never have bulldozed anybody in my life.

Q. I did not impute that to you at all; but I wish to know which you think is the worst public evil, to have this bulldozing go on or have the Republicans and Independents carry the county of Copiah on a fair vote, if you have to choose between them?—A. If they carried it on a fair vote I think they had better carry it, but I do not know when they have had a fair vote there or when the negroes had a fair show. They had an influence brought to bear on them by this Matthews party that was very unfair.

Q. What influence?—A. I could not undertake to state. I will state this: If the negroes had a fair chance and were let alone, and only talked to by men of intelligence, and men whose motives were pure, I would say let the negroes vote and never bulldoze at all, never. When it comes to that, a fair election or bulldozing, I am for a fair election.

Q. When I speak of a fair election, I mean letting every man vote as he wants to.—A. That is what I mean.

Q. And making such speeches as he wants to?—A. Yes, sir; that is what I mean. I think if they were talked to by fair, sensible, true men, it would give us a fair election.

Q. That would be your definition of a Democrat, I suppose?—A. Well, I have seen some Republicans who had good sense and good principles too. I will say this much before I go any further. I will tell you my views. I do not consider the contest in Copiah County has been between Republicans and Democrats for years, since the war. I consider it has been between the honest, hard-working, laboring people of that county and corruption in office; that this radical party has been managing matters there in the interest of corruption. That is my honest opinion if I had to die to-day; that if they had been honest Republicans, and men working for the interest of the county, Mr. Matthews would never have got the people stirred up against them as he has and

his family. The people there, I amongst the others, and the men I associate with, believe that it has been a strife of the better part of the community against corruption in office, men who would pack grand juries and pack the board of supervisors, and get the condition of the county so that they could make money by speculating in warrants and all that. That is my notion about it exactly.

Q. You were speaking of what Mr. Matthews had done to the negroes. Did you ever know anything done by him or his family that made the negroes fly to the woods from their houses?—A. No; and I never knew anybody else making them fly to the woods.

Q. Do you not know that the negroes fled to the woods just before the election?—A. I went to my place and there were twenty-five or thirty voters at Matthews' store there, and they were all at home.

Q. Do you not know that the negroes and their wives and children fled to the woods in large numbers?—A. I do not know it; I heard it.

Q. Did you doubt it?—A. I doubted whether there was one in twenty as many as reported. I doubt whether many of them went there as reported.

Q. Were you present in 1860 when Mr. Print Matthews made a speech against secession?—A. Yes, sir.

Q. Were you one of the crowd?—A. Well, I was there.

Q. They threatened to hang him then, did they not?—A. No, sir; I never heard a word about that. Well, I may have heard some one say that he ought to be hung, but there was no threat made or threats.

Q. You heard some one say that he ought to be hung?—A. Well, no; I may have heard it, but it has been a good while ago, and you are old enough to know one thing, and that is, that the memory of a man of my age is not as reliable as it was.

Q. Still you referred to some things which you said occurred forty-five years ago?—A. Well, that is a particular thing.

Q. That is like an old man's memory who remembers the things of his childhood?—A. Oh, yes, sir; you remember things that occurred when a boy better than you do things that occurred a few years ago. If there was anything about hanging Print Matthews I never heard it or remember it.

By Mr. CAMERON:

Q. Do you understand that Mr. Matthews was killed because he made speeches to the negroes and endeavored to stir them up against the whites?—A. I never have heard one word about the cause of Mr. Matthews' death, and do not know anything about it at all, and never have heard anything about it.

Q. You never have heard it mentioned?—A. I have heard the thing brought up, and I have heard the conversation by them; some persons had said that he was killed for this thing or the other, but I never heard anybody say that they thought so or had any reason for it.

Q. Did you ever hear any reason assigned for the killing of Mr. Matthews?—A. I have heard there was an old grudge between the Wheeler family and the Matthews family.

Q. Who did you hear that from?—A. I do not know; I know that the old man Wheeler—I heard him tell it—this Ras. Wheeler's father, shot at this fellow Gall. Matthews, and I believe hit him, fifteen years ago, in the town of Beauregard, and I heard the old man talking about the shooting of Ras., and what he thought about it, and so on.

Q. How long ago was that?—A. He has been dead five or six years.

From just after the shooting up to his death I heard him talk of it occasionally.

Q. You are of the opinion, then, that Wheeler shot Matthews on account of something that occurred fifteen years ago?—A. No, sir; I did not say that, for I do not know. I am not much acquainted with Mr. Wheeler. I never talked with this Wheeler about Mr. Matthews that I know of in my life. I have talked with his father.

Q. Have you ever denounced the resolution or any of the resolutions that were passed by that mass meeting at the court-house in Hazlehurst after Mr. Matthews's death?—A. I do not know that I denounced them. I said the boys were very thoughtless, and I am very sorry that some of those resolutions were passed.

Q. Why were you sorry for that?—A. I thought it would do no good, and I felt satisfied that they would never be carried out. For instance, where they said they were going to send to organize the negroes. I told them that that was unnecessary, because I did not believe that the Matthews's did organize the negroes; I did not believe it. Our people, when quieted down, will submit to a thousand things that when excited they won't submit to. I did not think they were going to do that. I thought that resolution was very unfortunate. The only resolution I would justify at all, was when they passed the resolution informing the Matthews family that they had heard of these threats and they would hold them accountable. I suppose they talked that way to many of their people, and the impression was outthat they intended to seek revenge.

Q. Then you are of the opinion that the people who passed these resolutions did not intend to carry them out?—A. No, sir; I believe that they thought they would carry them out, but I do not believe they will.

Q. Do you not think these ardent young men, of whom you have spoken, may possibly carry them out even without your consent?—A. No, sir; I think the passions have passed off, and I do not think they would pass the same resolutions now.

Q. There is no necessity for passing them twice, I suppose?—A. Well, I do not think they would indorse them now.

Q. Do you know J. W. Bailey—Jo. Bailey, as they call him?—A. Yes, sir. My acquaintance with him is limited; I have known him for a short time.

Q. Do you regard him as one of the respectable, peaceable, and law-abiding citizens of your county?—A. I never heard anything against Joe.

Q. Do you regard him as such?—A. I do not know him at all hardly. I never heard anything against him at all, until I heard that he was in what you call this mob.

Q. If he was in the mob, you do not think that would be any reflection upon him, do you?—A. Not if he went into the mob with the intention I think they had. I think they started down there to have a public speaking and to get up as much influence in favor of their friends as they could. I do not think they started down there to kill or cripple anybody.

Q. In your opinion, was it necessary for them to go armed?—A. I do not know anything about that. I do not think that was necessary.

Q. You do not?—A. No, sir.

Q. You disapprove of that, then?—A. Yes, sir; I do not think there was any use in carrying arms.

Q. Have you ever stated publicly that you did disapprove of these

electioneering parties going armed through the county?—A. I do not know that there has been any occasion for me to state it publicly. I have said, however, in private conversation that I thought it was an unfortunate thing; that they had better not have done it.

Q. That is as strong a term as you used?—A. I do not recollect exactly what I have said about it.

Q. Your memory, then, is not very accurate?—A. No, sir; my memory is not the best in the world. If a thing is said I sometimes do not remember it.

Q. You do not remember that as well as you do what occurred forty-five years ago?—A. No, sir.

Q. Do you know Joe Purser?—A. Yes, sir; I know his family well, and I know Joe when I see him.

Q. Is the Purser family a respectable and law-abiding family?—A. It is considered so.

Q. How is Joe considered?—A. I never heard anything to the contrary.

Q. Do you know Bill Higdon?—A. I know two or three of the Higdon boys, but I do not know their names.

Q. The family is a very respectable and law-abiding family, all the members of it, so far as you know?—A. Yes, sir.

Q. Do you know Emmett and Henry Spencer?—A. Yes, sir; I know Emmett Spencer when I see him.

Q. What do you say about them in that respect?—A. I never heard a word to the contrary.

Q. Do you think they are good citizens?—A. I never heard anything to the contrary.

Q. What is your opinion about it?—A. Yes, sir; I think they are good citizens.

Q. Do you know E. B. Wheeler?

The WITNESS. Is that the one they call Ras.?

Mr. CAMERON. Yes.

The WITNESS. Yes; I know him when I see him. I never have been much acquainted with Wheeler.

Q. What is his reputation in the county as being a good citizen?—A. My understanding about him was that he is a sort of belligerent character, a man who had fights sometimes, and talked about fighting, and so on. I never was with the man but very little in my life, but that is the sort of impression I have got of him.

Q. Did you regard him before these occurrences as a good citizen?—A. Yes, sir; in some respects. If I was going to hunt up a man of the purest morals, I would not have gone to Ras. Wheeler.

Q. Would you approve of the action of the mayor and council of Hazlehurst in electing him marshal?—A. No, sir; I do not approve of it.

Q. Do you know who the mayor and council of Hazlehurst are?—A. Yes, sir; I know the mayor and several of the councilmen, and I look upon them as good men, but they were like this mob, or whatever you term them, that held this public meeting. I think they acted under excitement. I think now—my opinion is, I have not heard them say—I think these same gentlemen, if they were called upon to elect a marshal, would not elect Ras. Wheeler.

Q. Did the mayor and aldermen belong to the ardent or hot-headed young men that you have spoken of?—A. I do not really know who all the officers are. The mayor of the town is a man of age.

Q. How is it in regard to the former chancery clerk of the county who testified here yesterday?

The WITNESS. Mr. Norman?

Mr. CAMERON. Yes.

The WITNESS. I consider him one of the best men in the county.

Q. Is he an excitable, hot-headed man, in your opinion?—A. I never have been with him enough to say. I never lived close to him, and I never saw him under excitement, and I could not tell you.

Q. Do you know I. N. Ellis?—A. Yes, sir.

Q. Is he a good citizen?—A. He is considered so.

Q. How do you regard him?—A. As one of the most exemplary men I know of.

Q. He is one of the aldermen?—A. I think so.

Q. Do you know Mr. G. D. Lowe, justice of the peace?—A. Yes, sir.

Q. How is he; a good citizen?—A. I never heard anything against him.

Q. You would not include him among the hot-headed young men you have spoken of?—A. No, sir; I do not think I would. I never understood about the election of Mr. Wheeler. I was astonished at it when I saw his election.

Q. Do you know Mr. B. F. Burch?—A. Slightly.

Q. What is his reputation?—A. Good, so far as I have heard.

Q. There are only four aldermen, I believe?—A. I do not know how many.

Q. You know the mayor?—A. Yes, sir.

Q. I have mentioned the mayor and four aldermen, and you say that they are all first-class citizens?—A. Yes, sir; that is my understanding.

Q. Do you remember how long it was after the death of Mr. Matthews when the mayor and common council elected Wheeler marshal of the city?—A. It seems to me it was about a week, but I could not say positively. It seems to me that the election was on Tuesday, and the next Tuesday was the election of the marshal, but I cannot say now; that is the impression on my mind, that he was elected then.

By Mr. JONAS:

Q. Was there any Republican ticket in the county of Copiah at the last election?—A. No, sir; they denied having any Republican ticket, that is, the ones I talked to. It was an Independent ticket entirely, as they represented it.

Q. The men who composed it were mostly men who had formerly been Democrats?—A. Yes, sir.

Q. Was there any Republican ticket in Copiah County in 1881?—A. I think J. P. Matthews was candidate for sheriff in 1881, but I think they claimed to run on an Independent ticket. I do not go out to public speakings myself.

Q. Who was the candidate for governor in opposition to Lowry then?—A. Colonel King, in my county.

Q. Had he not always been a Democrat up to that time?—A. He worked with the Democratic party up to about that time; yes, sir. We nominated and elected him Democratic Senator there.

Q. The ticket was called an Independent ticket, was it not?—A. That was my understanding.

Q. Were any Republican principles involved in those two elections—any politics of a national character?—A. I think not.

Q. Were they discussed at all?—A. I did not hear only Governor Lowry's speech. I did not hear Colonel King at all.

Q. In this last election, were the issues involved of a local or national character?—A. Altogether local, as far as I ever heard.

Q. And the canvass was conducted between the Independent party and the Democratic party?—A. Yes, sir.

Q. Was there any reason why the colored voters should vote with the Democrats, instead of the Independents?—A. No, sir; I told the negroes there was no reason on earth for it; that if they thought our candidates were the best and most reliable men that they ought to vote for them.

Q. Two colored men testified yesterday that they were Republicans, but in this canvass, there being no contest pending between the Independents and Democrats, they voted for the best men, and voted because they considered the candidates on the Democratic tickets were the best men. Do you know whether such a feeling was prevalent in your county?—A. I heard them talking in that way.

Q. Did they feel that this Independent ticket had any claims upon them as Republicans?—A. Only thus far: Whenever this man, J. P. Matthews, got hold of a negro (he had more influence with colored men than any man I ever knew), if he got hold of them and sent his emissaries to them, he had a great deal of influence with them.

Q. There was no question of national politics involved in the canvass?—A. No, sir; I never heard only a part of one speech myself.

Q. The meetings called as Democratic meetings were Independent meetings?—A. Yes, sir; that is the way they were advertised.

Q. The most of the Independent candidates had been Democrats up to a recent date?—A. Yes, sir.

By the CHAIRMAN:

Q. There had been a considerable number of men who had formerly been Democrats who joined this Independent party?—A. No, sir; they claimed a good many, but I could not find them.

Q. I thought you said that many of these persons had been Democrats?—A. Oh, the candidates; yes.

Q. It was substantially then Republicans on one side and Democrats on the other?—A. No, sir. That is where Matthews made his mistake. He claimed to have 2,200 votes——

Q. Let me put my question again. My question is whether the men on each side were or were not Democrats on the one side and persons who had been Republicans on the other, generally. I do not speak of the few exceptions?—A. So far as the voting population was concerned, taking in the colored people, it was.

Q. Was King, a candidate for governor, one of this Independent party?—A. Yes, sir.

Q. Was he a good citizen, a good man?—A. Yes, sir; King was an honest man if I ever knew one.

Q. He supported this party in Copiah County that you speak of?—A. He did whilst he was candidate for governor.

Q. He did last year, did he not?—A. If he did he was very quiet. I have never heard him talk on the subject.

Q. Did he not preside as the chairman of the meeting that put out the ticket?—A. Yes, sir; but they appointed him chairman of the executive committee and he declined, and I watched him closely and I never knew him to take an active part in the last election at all.

Q. Did he not decline the chairmanship of the executive committee on account of his health?—A. Yes, sir; I think he did.

Q. He is since dead, is he not?—A. Yes, sir.

By Mr. JONAS:

Q. Were the relations between Matthews and King always friendly?—A. Right to the contrary; for several years they were very bitter.

Q. Did not Matthews come out in a public circular denouncing King?—A. Yes, sir; and called him everything on earth but a good man, and went into his family relations.

Q. And denounced him in the public prints?—A. Yes, sir.

By the CHAIRMAN:

Q. Was Mr. King your partner formerly?—A. Yes, sir; he was partner at his death. Our business is still unsettled.

W. W. COOK, sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live near Hazlehurst, in Copiah County.

Q. How long have you lived there in that county?—A. I have lived there fifty-odd years.

Q. Have you held office in that county, if so, for how long, and what offices?—A. I have held different offices for about fourteen years.

Q. You were sheriff how long?—A. For six years.

Q. And what other position did you hold?—A. Probate clerk.

Q. Did you know the Matthews family—Print Matthews and his brothers?—A. I did.

Q. What was the general reputation of that family in the county as men, as good citizens or otherwise, peaceful men or wild?—A. I think that branch of the Matthews family was looked upon as not of the best class of citizens. There was nothing very objectionable, but they were talked about and not considered the best class.

Q. How was it with Mr. J. P. Matthews; what was his standing in the community?—A. Outside of politics it was very good.

Q. And in connection with politics what were his modes and methods?—A. Among the white people generally his conduct was not regarded favorably at all.

Q. Was he violent in his notions and in carrying them out?—A. I think so.

Q. Did you ever hear any of his speeches?—A. I never did.

Q. Have you heard from common report the character of his speeches?—A. Yes, sir; it was generally understood that his speeches were excitable speeches.

Q. Excitable in what way?—A. Calculated, as they termed it, to excite the colored people against the whites.

Q. Calculated to disturb the relations of peace and amity between the two races?—A. Yes, sir; I suppose that is what was meant by it, by excitement.

Q. Do you know whether or not Mr. Matthews exercised a controlling influence over the board of supervisors?—A. The impression was that he did; I think that he did myself.

Q. From what you saw and heard?—A. Yes, sir.

Q. To what end did he control the board of supervisors; in what manner did he control them; to his advantage, if at all?—A. I think that if any important matter was up he was generally consulted; at least he was generally before the board.

Q. Did they generally vote as he directed?—A. I cannot say as to that. They sustained his policy, whatever it might be, in the appointment of grand jurors.

Q. Do they have the appointment of grand jurors?—A. Yes, sir.

Q. Did they select the grand jury to suit him or at his dictation?—A. I do not know; but they selected a grand jury that was not acceptable generally to the people in the county. They were generally of that class that were not looked upon as reliable.

Q. They did not possess the confidence of the community?—A. No, sir; they did not possess the confidence of the community. There were some exceptions.

Q. Was it generally a partisan grand jury?—A. I think so.

Q. Were the grand jurors supposed to be corrupt, or composed of people easily corrupted?—A. The expression generally was that they were not such grand juries as the better class of people expected to have. In other words, there were three districts, and generally the worst class of people in the district, and not the best class, were selected; I will not say the worst class, but not the best class.

Q. You know Mr. Hargrave, the sheriff?—A. Yes, sir.

Q. What is his standing in the county?—A. Very good.

Q. Is he an old citizen?—A. Yes, sir; a native of the county.

Q. Is he considered a peaceable, quiet, law-abiding man?—A. I think so.

Q. Where were you the day before the election, the Monday preceding the election; were you in Hazlehurst?—A. Yes, sir; I went up there on Monday morning.

Q. Do you know anything of this crowd of armed men who came into Hazlehurst on Monday?—A. Yes, sir; I saw them. I did not see them come to Hazlehurst.

Q. Did you see Mr. Hargrave go out to meet them?—A. Yes, sir; he went out. We did not go together; but Mr. Hargrave was out there.

Q. You met Mr. Hargrave out there?—A. Well, he was out there. I do not know whether he or I got there first.

Q. Do you know for what purpose Mr. Hargrave went out and for what purpose did you go out to meet these men?—A. I went up to town Monday morning. I had heard about this mob, as they called it, perambulating about district three, and general rumor gave some outrages perpetrated by them for, maybe, two or three days. I was not in town every day, and on Monday morning when I went up there Mr. Hargrave came to me and said—I do not recollect his exact language, but the idea was this: "These men are coming in; will you go with me out and meet them and talk to them?" Perhaps he says, "Don't you think it would be a good idea to go out and meet them?" At once I agreed with him. I told him I thought it would be a good idea for him to go, and if he could, get two or three steady old citizens to go, and perhaps suggested two or three men to take with him. He asked me if I would go with him, and I told him I would go, and I asked him what time they were expected in, and he said, I think, about 2 or 3 o'clock in the evening. I told him I would go home, and after dinner I would get on my horse and come up and ride out with him or anybody to meet them. But before I went home he came and told me that they would be there about 12 o'clock. I did not have time to go home after my horse, and in looking around to get a conveyance to go out with him, I saw an old gentleman crossing the street that I looked upon as a good citizen, and I suggested to him, and he thought it was a good idea, to go out and meet them and talk to them. In the mean time I understood there were some sick ladies in town. I did not know what their object was in coming there; I never heard anybody say and I could not imagine what it was. My only supposition was that they were rollicking around in

the country in their way, and that they would come in town and make an exhibition. I did not suppose there would be anybody killed or seriously damaged; that is the idea I had, but the idea was to caution them against that. That was my own feeling in the matter. I came out to this old gentleman and suggested to him these sick ladies, and a relative of his (Mr. Higdon is the man I have reference to) told me that he understood Miss Matthews was quite sick, and said, "I will go and see Dr. Pitts and ascertain the fact." He came back and told me the doctor said she was very unwell. We got a hack and started out, and I suppose went about two miles and met them and had a little talk with them.

Q. Was Mr. Hargrave present when you had your talk?—A. I think he was; yes, sir; he was there.

Q. What was the nature of the talk?—A. My talk was simply this: "Gentlemen, I do not suppose you propose to kill anybody; but there are some sick ladies in town, and in your passing around have respect for them." They asked me who they were and I told them who. When I first mentioned Miss Matthews there was some little murmuring about it, and I told them, "Gentlemen, there is this request we have got to make: If you have a notion to pass Mr. Matthews' dwelling, just say to yourselves there is a sick lady in that house, and show her the respect she is entitled to." They told me they would do it. That is the amount of it. The talk was this—that they were cautioned, and the idea was to caution them against any violence or outrage.

Q. Did Mr. Hargrave make similar representations to them?—A. I think he did. He was present when I was speaking.

Q. Did he coincide with you?—A. Yes, sir; he agreed with me.

Q. When you and Mr. Hargrave talked about it in the morning, did you agree as to the propriety of going out to prevent any noisy or riotous demonstration of these people?—A. As I stated before, I did not know what they were coming there for; I suppose he did. But my idea was to get some good white person to go and caution them against violence.

Q. Was that his idea, too?—A. Yes, sir; I think so. I do not know but what he suggested it first; I am inclined to that opinion. He suggested that we go out and talk to them and caution them against violence.

Q. Do you know Mr. A. W. Burnet?—A. Yes, sir.

Q. Have you known him ever since he lived in Hazlehurst?—A. Yes, sir.

Q. What is his character and standing in that community and what has it been since he has been living there?—A. My observation is among the better class of people that it is not very enviable, not very good.

Q. What is his general character in that community for truth and veracity, do you know?—A. I have heard some expressions, general expressions.

Q. What are they?—A. I would say that since these proceedings, or at least since the trouble, they do not seem to look upon him as truthful at all.

Q. Did he bear the character of a truthful man?—A. I do not think he did with those I heard speak of it.

Q. What is your own opinion about it?—A. My opinion is that I do not recognize him as such myself.

Q. Would you believe him on oath?—A. I do not think I would if he was interested at all.

Q. You were the sheriff of Copiah County, were you not?—A. Yes, sir.

Q. Were you a defaulter to the county at all when you went out?—A. No, sir.

Q. Was a suit instituted against you on behalf of the State, claiming that you were indebted to the county after you went out?—A. Yes, sir.

Q. How did that suit originate and who did it originate with?—A. The first of my information was that the board of supervisors appointed a committee to investigate my accounts. That committee went on and made the investigation and reported.

Q. What was the nature of their report?—A. The majority report brought me out in debt to the county to a small amount; I forget the exact amount.

Q. What did they do after that?—A. A suit was brought.

Q. Did the board of supervisors employ counsel?—A. Yes, sir.

Q. Who did they employ?—A. I think that the order was employing Mr. Burnet, Mr. Cassidy, and Mr. Sessions.

Q. At what fee?—A. A thousand dollars positive fee, I think, and a percentage.

Q. That was for the county to pay?—A. Yes, sir.

Q. What was the result of that suit?

The WITNESS. The final result?

Mr. JONAS. Yes.

A. I got a compromise judgment against the county.

Q. For how much?—A. One thousand dollars.

Q. Was that paid by the county?—A. Yes, sir.

Q. Who ran against you for sheriff when you were last elected?—A. J. P. Matthews all the time.

Q. Every time you were elected he ran against you?—A. Yes, sir.

Q. You beat him every time?—A. Yes, sir.

Q. How many times?—A. Three times; three elections.

Q. Was there any violence in that county at any of those elections?—A. I do not know what you would consider violence; they were quiet elections I believe.

Q. How much majority did you have the last time over him?—A. My majority at the three elections was about the same, about 500; I do not recollect exactly.

Q. Was there no complaint or contest?—A. Yes, sir; there was a contest and canvass.

Q. I mean after the election?—A. No, sir.

Q. Mr. Matthews acquiesced in the result?—A. Yes, sir.

Q. And the election was peaceable and quiet?—A. Yes, sir.

Q. And you ran as a Democrat?—A. Yes, sir.

Q. What is the general character of the white people of Copiah County, and I may say the Democratic party of Copiah County, as peace and law-loving men, or otherwise?—A. From my experience with them (I have no experience with any other people) I consider it good.

Q. Are they quiet people as a general rule?—A. Yes, sir.

Q. Law abiding?—A. Yes, sir.

Q. And church going?—A. Yes, sir; as a mass.

Q. Of course there are exceptions?—A. Yes, sir; there are exceptions, of course.

Q. Your elections have been, as a general rule, free from turbulence and violence?—A. Yes, sir; the three elections that I was in.

Q. At the last election was there any Republican ticket?—A. I do

not know. I think it was an Independent ticket; I think it was so called.

Q. Was it not composed mostly of men who had been Democrats?—A. Yes, sir; I believe so. I think they all were except one, Mr. Matthews.

Q. Was not that the case at the preceding election in which Mr. Lowry and Mr. King ran against each other?—A. I have forgotten the candidates, except King and Lowry.

Q. The contest was between the Independents and Democrats, was it not?—A. Yes, sir.

Q. Was there any discussion of national principles as between the Republican and Democratic parties or were the canvasses confined to local issues?—A. I never heard at the last election or preceding election any discussion at all; I never heard any joint discussion. I believe I heard two or three speakers who made general speeches like gentlemen running for State offices. I suppose they included national and State matters.

Q. But they were not Republican speeches made by the opposition candidate?—A. No, sir; I never heard any.

By Mr. CAMERON:

Q. How many suits were brought against you by the county?—A. Two.

Q. Were there not three?—A. Well, perhaps there were; yes, sir.

Q. I know perhaps there were; perhaps there might have been a dozen. But how many were brought against you?—A. My impression is there were two and perhaps three; I do not recollect which.

Q. When were the suits brought against you?—A. Previous to the last October term of the court.

Q. That is, then, within the last six months?—A. Yes, sir; previous to the last October term of the court. The service was made probably about the first of October.

Q. What were those suits brought for; what was the complaint against you?—A. Defalcation in paying over money collected.

Q. How much was claimed by the county?—A. I never was able to understand. Mr. Burnet stated it was $30,000, but I never could understand.

Q. How much did the papers that were served on you show that the county claimed?—A. I do not know.

Q. Did you ever examine them to ascertain?—A. No, sir; I was not very particular about ascertaining. I looked over the papers. I had attorneys to attend to the business, and I left it to them.

Q. Who were your attorneys?—A. Mr. Conn was an attorney, and Messrs Harris and Dodds were attorneys. Conn and Miller were the attorneys principally, and Harris and Dobbs.

Q. Then you had four attorneys in the case?—A. Yes, sir; I had five.

Q. Who else?—A. Mr. Sexton came in at the closing up of the case.

Q. Did any one of your five attorneys at any time tell you how much the county claimed against you?—A. I do not recollect that they did.

Q. Do you recollect whether they did or not?—A. No, sir; I do not recollect whether they did or not.

Q. What is your understanding as to the amount that the county claimed against you in those suits, if you had any?—A. Well, I looked at the proceedings as a sort of guess-work. I am free to confess that from an examination of the papers I could not understand the suit and I never did know what they claimed.

Q. Did not the declarations in those cases show that the county claimed $7,000 against you?—A. I think there were four declarations, and it appears to me now (that has refreshed my memory) that it was about a repetition in each declaration.

Q. Did not the declarations show that the amount claimed against you was $7,000 with thirty per cent. damages, which, if you were a defaulter you would be liable to pay? Don't you remember that the declarations claimed that?—A. I think each declaration perhaps did, and my recollection is that there were four declarations, but I will not be positive about it or undertake to say.

Q. The damages would be thirty per cent. per annum, would they not under your statute? Under your statute would the damages be the amount of the defalcation, if there was one, and thirty per cent. per annum?—A. I never saw the suit at all and have no recollection. I think perhaps it was thirty per cent. That is my recollection now, and I suppose that is the law.

Q. Did you bring a suit against the county?—A. Yes, sir.

Q. How much did you claim in that suit?—A. About $3,000.

Q. When did you bring that suit?—A. That was just before the October court.

Q. When did your term as sheriff expire?—A. It expired the 1st of January, 1881, I believe.

Q. Why did you delay bringing your suit for more than two years, for nearly three years?—A. I do not think I would ever have brought a suit if they had not commenced proceedings; that is the reason why I did it.

Q. Did you not understand then that the county was indebted to you?—A. Yes, sir.

Q. Were you patriotic enough to donate that to the county?—A. Yes, sir.

Q. How much did you understand the county was indebted to you?—A. $2,474.84.

Q. Then why did you bring the suit for $3,000, if they only owed you that much?—A. That was the minority report of the committee.

Q. Then you accepted the report of the minority committee as correct?—A. Yes, sir.

Q. After you went out of office was it not discovered that you had money in your hands belonging to the county and thereupon you paid the county some amount?

The WITNESS. After I went out of office?

Mr. CAMERON. Yes.

A. The day that I went out of office and turned over the office I was taken sick. The settlement for the preceding year was made by a deputy of mine. I was sick a good while and unconscious for some time. After I got so that I could understand anything they informed me that the settlement had been made and that there was a balance of $600 due me.

Q. Due from the county to you?—A. Yes, sir; from the county. The board of supervisors made that allowance, the clerk issued the warrant, the treasurer paid it some time after that, I do not know how long, a few days or maybe a week. The chancery clerk informed me that he had made a mistake in addition of $50; in other words, the county had paid me $50 more than that settlement showed by his figures. I told them if it would not make any difference, to give me a pay or receipt warrant, and I went to the treasurer myself; and it stated on the face the object of it, the treasurer stated on the face the

object of the return. That is what I suppose you have reference to about my returning money.

Q. Were you present in the circuit court of your county in November last, when Judge Wharton read in court a note which he had received from Mr. Dodds in which it was stated that unless Burnet left the county he would be killed, or something to that effect?—A. Was I? No, sir.

Q. Did you hear it?—A. No, sir.

Q. Did you hear anything of it; were you informed in regard to it?—A. I do not recollect. My recollection is that some gentleman, I won't undertake to say who, told me that he had received a letter from Mr. Burnet telling him that he had received an anonymous letter threatening him, or something of that kind. I never heard of Mr. Burnet's receiving a letter.

Q. Do you know or have you information to the effect that Mr. Burnet wrote to Mr. Meade, the chairman of the Democratic county committee, asking him to intercede in his behalf that he Burnet might return to the county for the purpose of attending to his cases in the circuit court?—A. No, sir.

Q. You never heard anything of that?—A. Now, since you mention Mr. Meade's name, I do recollect Mr. Meade read me the letter from Mr. Burnet to him which I had reference to.

Q. What was the purport of that?—A. The purport was that there was an anonymous letter threatening his life.

Q. What did Mr. Meade say to you in regard to it?—A. He did not say anything; he just read me that part of the letter.

Q. You had no conversation whatever about it?—A. I do not recollect that we had.

Q. Do you recollect whether you had or not?—A. I do not. I do not think we did. I met him on the sidewalk, and he told me he had just got a letter from Mr. Burnet, and opened and read it. Whether he read all of it or not, that was the purport of it.

Q. You made no remark about it?—A. Perhaps I did. I do not recollect now.

Q. Do you remember whether you did or not?—A. No, sir; I do not recollect whether I did or not.

Q. You stated in your direct examination that the reputation of the Matthews family was not very good in Copiah County?—A. Well, as to citizenship, I said that they were not looked upon as our best class of citizens.

Q. By whom are they not looked upon as among the best class of your citizens?—A. I could not designate anybody; I am just speaking of the general impression I have.

Q. How long had J. P. Matthews been in business in that county?—A. I do not know when he commenced merchandising.

Q. About how long?—A. In 1875, I reckon; from that time up he was in business; he went out of the sheriff's office in 1875; I think he was probably merchandising then.

Q. Did you ever hear that he had any difficulty in procuring credit in the county?—A. No, sir.

Q. Was it understood that he was a man of considerable property?—A. Yes, sir.

Q. Was it understood that he was a man who paid his debts?—A. I never heard anything to the contrary.

Q. Are the other Matthews brothers in business in the county doing something?—A. I think they all are.

Q. Do you understand that they are in good credit?—A. Yes, sir; so far as I know. Well, I did hear Mr. Thompson speak about two of the Matthewses having owed him at one time, but whether they have paid him now or not I do not recollect.

Q. Do you understand that they are in a position where debts can be collected against them?—A. Yes, sir; that is my understanding about it; they have had means enough to pay their debts.

Q. What is their reputation among the colored people of the county; the reputation of the Matthews family, I mean?—A. So far as I know, it is good.

Q. Do the colored people constitute about one-half of the population of the county?—A. Yes, sir; I consider that the colored vote is about half.

Q. Then you consider that the reputation of the Matthews family among the colored people is good?—A. Yes, sir; generally good.

Q. But among the white Democrats you do not think it is quite so good; is that the fact?—A. Yes, sir; those that I have heard express themselves give rather a disapprobation of their deportment.

Q. What do they disapprove of in the Matthews family?—A. Well, to sum it all up where there was objection made to them at all, it was because they were Matthewses and nothing else. I could not particularize at all. They spoke of them as Matthewses.

Q. What did they charge them with?—A. Well, they were overbearing men, rather inclined to be arbitrary. I never heard of their being charged with fussing or fighting. Well, I believe I have heard of one of them having a little melée, but of my own personal knowledge I do not know.

Q. What I wanted to get at was what the best citizens charged them with, what crime or offense; can you tell me that?—A. I do not know that I can. Since the war, since politics began, they have, as they term it, seemed to be prominent in politics, and I presume that is one of the reasons why they have rendered themselves odious. And then another thing, they have been overbearing and arbitrary.

Q. Then the reasons why they were not approved by the good citizens, as you state it, is that they were overbearing and arbitrary, and since the war they have been prominent in politics; is that it?—A. Well, charged with being in opposition to the white people generally, stirring up strife among the colored people, as they term it. In other words, if they would not meddle in politics there would be better harmony in the county between the whites and the blacks, if they did not carry it to extremes.

Q. That is, if they did not meddle in politics the Democrats would not have as hard work to carry the county?—A. No, sir; I do not think so, because there are some as good negroes in the county as whites; law-abiding men, upright, good citizens, many of them, and disposed to do right. I think the white people, as a general rule, and the negroes would harmonize, but they get at politics and they get excited. I never came in contact with it myself.

Q. What, in your opinion, would the white people and the negroes harmonize upon, politics or business matters?—A. I mean this: That if there was no strife there, what we term party lines would be obliterated, and any man could come out and run as a candidate without going through the form of a nomination, and the whites and blacks would vote for their choice. That is what I am trying to say.

Q. That is, any man who is a Democrat could come out and run?—A.

No, sir; I do not mean that; men there who are Independents, who are good men, running on the Independent ticket.

Q. Do you think it is wrong for anybody to attempt to organize and run a Republican party in your county?—A. No, sir.

Q. Do you think it is wrong for him to address negroes as negroes, and ask them to vote the Republican ticket?—A. Not at all.

Q. Then what strife do you refer to that the Matthewses were getting up?—A. In the first place, understand, I have never been to any of their meetings, and I only give it as a general rumor that the negroes were told, you know, that they must stick to the party.

Q. Well, was that wrong?—A. No, sir; that was not wrong; they had a right to do that as much as the other party had; I do not blame them for that at all. But then if they are told that if they do not stick to the party they will be punished for it——

Q. Did you ever hear J. P. Matthews, or any other Republican in the county, say that to the negroes?—A. No, sir; I never did.

Q. Do you know that J. P. Matthews, or any other Republican in the county, ever punished a negro for not sticking to the Republican party?—A. No, sir; of my own knowledge I do not know that I do.

Q. When did you first hear of the raids made through your county last fall by the persons whom we call a mob?—A. I do not recollect.

Q. State as near as you can.—A. It was a few days, perhaps three or four days, before the election.

Q. Who did you understand were members of that political company that was marching through the county?—A. My first knowledge of it, I think, was in this way, that the boys, as they termed it, in beat 3, turned out night and day electioneering, and had a cannon firing it around. Then I heard all kinds of stories after that.

Q. Tell us what stories you heard.—A. I do not know that I heard them before the election. I have heard since——

Q. No; I am trying to get at what you heard before the election.—A. Well, this man Tom Wallis was killed before that.

Q. By whom did you understand that he was killed; I do not mean by what individuals.—A. When I first heard of it I was in town, and Mr. Brown, the circuit clerk, asked me if I had heard that my old friend Wallis was dead. I said no, I had not. I asked him when he died, and he said he was killed. That was two or three days after it happened. I said, "Who was it done by?" and I think his reply was, "It was supposed to be somebody from Claiborne County," the adjoining county, and I never have heard the particulars of it since. I heard that he was killed and that his wife was shot. It was rumor, like everything else.

Q. You never have made any inquiry to ascertain, have you?—A. No, sir; I never inquired.

Q. If it were done by parties from Claiborne County, do you not think they ought to have been pursued, arrested, and brought to trial?—A. Well, from any county; I think so; yes, sir.

Q. Have they in this case?—A. I heard Mr. Earnes's testimony and that is all I know about it. I do not know that it went before the grand jury, but he stated it had.

Q. When did you first learn that that company were coming into Hazlehurst?—A. That was, I suppose, about 10 o'clock Monday before the election on Tuesday.

Q. For what purpose did you go out to meet them?—A. I did not know what they were going to do, as I said before. I did not know who they were; but I did not believe the stories I had heard of the

outrages perpetrated. I did not think any men whom I knew in that country would be guilty of the outrages I had heard were perpetrated.

Q. What other outrages had you heard they had perpetrated?—A. I had heard they were shooting and whipping, as I stated, and scaring negroes.

Q. You had heard they were scaring the negroes?—A. Well, shooting and whipping; I do not know that I heard anything about scaring the negroes. I went out, as I told you. My object was if the boys determined to come into town to ask them in passing the houses where sick persons were to show them respect.

Q. Were there any other sick ladies in the town besides Miss Matthews?—A. Yes, sir; there were two ladies, Mrs. Davis and Miss Matthews. Those are the only ones I mentioned to them; I did not know of any one else.

Q. Had you heard that that company were coming into the town, and it was expected they would do violence to Mr. Matthews?—A. No, sir; I had not heard that. I did not hear they were coming there until that morning, and I did not hear the object of their coming spoken of at all, and I had no idea of it.

Q. Why did you fear they would commit outrages in the town?—A. Because I had heard these stories from where they had been, although I did not believe it. When Mr. Hargrave suggested going out and cautioning them against doing anything, I approved of it, and I spoke to Mr. Higdon about it, and asked him to go with me, and he did go.

Q. State who you found in that company when you went out and met them; give the names of all those whom you can remember.—A. I cannot recollect many; I recollect some; Mr. Wheeler was one.

Q. Ras Wheeler?—A. Yes, sir. W. W. Womack was another.

Q. Who appeared to be in command of the company?—A. Mr. Wheeler.

Q. Who else?—A. There was one Mr. Higdon, I know, and perhaps two; I am not certain. There was Mr. Spencer and Mr. Jesse Thompson, jr.; I do not know that I can recollect any others.

Q. Was Joe Bailey with them?—A. I think he was.

Q. Was Joe Purser with them?—A. I think Purser was with them. Mr. Hart was with them.

Q. Do you know Reuben Morrison?—A. Yes, sir.

Q. Was he with them?—A. I am inclined to the opinion that he was among them, but I do not recollect now.

Q. You know Bill Higdon?—A. Yes, sir.

Q. Was he with them?—A. Yes, sir.

Q. And Marion Higdon, do you know him?—A. Yes, sir; I know them both.

Q. Were they both with them?—A. William Higdon was I know, and I saw Marion Higdon in town afterwards, but whether he was with the crowd or not I do not recollect. There were a good many more.

Q. Do you know Emmett and Henry Spencer?—A. Yes, sir.

Q. Were they there?—A. Henry was; I do not recollect about the other one.

Q. Do you know J. F. Thompson?—A. Yes, sir.

Q. Was he with them?—A. No, sir.

Q. C. J. Allen—do you know him?—A. Yes, sir; I know him, but I don't recollect whether he was with them or not.

Q. Were there any Middletons there?—A. I would not be positive. Before we got out there—before we met the crowd—I met a gentleman and we told him where we were going, and he said that he had left

them just back, and we did not ride on, but they came up. I think I met Mr. Middleton before I met them. I think I met him between Hazlehurst and where we met the crowd.

Q. How many in your opinion were in that crowd?—A. I am unable to say.

Q. You have some idea of course?—A. Well, I would say 75 or 100, or may be not more than 50. There was a good smart crowd of them.

Q. Were they armed?—A. They had some guns, and I think I saw some pistols. I do not think I saw arms in all their hands.

Q. Were they or not mounted?—A. Yes, sir; all mounted.

Q. All on horseback?—A. Yes, sir.

Q. Under the command of Wheeler?—A. Yes, sir; he seemed to be exercising command over them. They passed on. We did not come back with them. We were driving a couple of mules, and I expected they would shoot the cannon, but they didn't shoot it in my presence and we kept on behind; we did not ride with them.

Q Do you know the Rev. J. W. McNeil?—A. Yes, sir.

Q. How long have you known him?—A. I do not know; a good many years. He was not with them, I do not think.

Q. I suppose not. I am coming to another matter. But before going to another matter I will ask you if you saw any persons with that company of which you have been speaking that you would regard as peaceable and law-abiding citizens; if you saw any that were not such?—A. Yes, sir; there were some men in that crowd that I don't think would be recognized generally as the best citizens; some wild young men; men that I do not consider our best citizens.

Q. I do not ask you about their being your best citizens; I ask you if they were not respectable and law-abiding?—A. There were some men in there that under some circumstances might be law-abiding, but many excitable and drinking men, and when a man gets in that condition I do not think he would be very law-abiding.

Q. Taking them together as a whole would you not say they were respectable men?—A. Yes, sir; they were; as a body of men they were respectable.

Q. Would you call them peaceable and law-abiding men?—A. Yes, sir; ordinarily I would.

Q. When would you not call them peaceable and law-abiding?—A. Well, when they are in violation of law they are not law-abiding.

Q. Did you consider them peaceable and law-abiding at that time? A. I did not see anything to the contrary.

Q. But did you consider them so?—A. Yes, sir; right there at that time when I saw them I did.

Q. What did you understand they were going to do when they got to town?—A. I did not understand that; I had no information what they were coming to town for, or what they proposed to do.

Q. You feared, however, that they might violate the law?—A. Yes, sir; I heard of their doing things that I did not think was in keeping with the law, and they might, under excitement, do it again.

Q. If they were peaceable and law-abiding why did you fear they would violate the law when they got to town?—A. I state that under ordinary circumstances I looked upon them as peaceable and law-abiding men. I had no evidence to show that they were not.

Q. What were the extraordinary circumstances existing at that time which might induce them not to be peaceable or law-abiding?—A. Well, there seemed to be a great deal of excitement on politics, and extreme

measures enacted and carried out which I do not think they would do under cooler moments.

Q. Are you of the opinion that the Democratic party pursued the right policy in electioneering in your county last fall?—A. No, sir; I do not think so; in some respects I do not think they did.

Q. Did you think it was the right thing to do to arm themselves and to travel through the county and kill colored men and shoot into their houses and to shoot colored women?—A. No, sir.

Q. You understood that this party of men had done some or all of these things, did you not?—A. Yes, sir.

Q. And yet you considered them peaceable and law abiding?—A. Well, I did not believe it; that is the reason.

Q. What is your opinion now?—A. I had understood before I went out that they were doing things that I considered in violation of law.

Q. Do you now understand they did things which in your opinion were violations of law?—A. Yes, sir; I have so understood; and then they are not law-abiding citizens when they violate the law.

Q. Now, I will go to another subject. The candidates for the legislature on the Independent ticket last fall in your county, as I understand it, were Rev. J. W. McNeil and Judge L. O. Bridewell; is that so?—A. Yes, sir.

Q. Had those men or either of them formerly been Democrats?—A. I think they had.

Q. Were they regarded as respectable men when they were Democrats?—A. Yes, sir; at least I regarded them so.

Q. How were they regarded in the community generally?—A. I never heard anything to the contrary.

Q. L. H. Matthews was the Independent candidate for sheriff, was he not?—A. Yes, sir.

Q. He has been a Republican for years, I understand?—A. Yes, sir.

Q. How was he regarded?—A. I looked upon L. H. Matthews as a respectable man.

Q. The candidate for chancery clerk was I. C. Enochs?—A. Yes, sir.

Q. How long have you known him?—A. For a number of years.

Q. Was he formerly a Democrat?—A. Yes, sir; I think he was.

Q. Was he considered a respectable man while he was a Democrat?—A. Yes, sir, and is considered so yet, I believe; at least I do consider him so.

Q. The Independent candidate for circuit clerk was J. Q. Barlow?—A. Yes, sir.

Q. How long have you known him?—A. For years.

Q. Was he formerly a Democrat?—A. I do not know whether he was or not.

Q. How was he regarded in the county?—A. I never heard any complaints of him at all.

Q. Is he regarded as a respectable man?—A. So far as I know he is.

Q. The Independent candidate for treasurer was Fayette Haley. Do you know him?—A. Yes, sir.

Q. How long have you known him?—A. For several years.

Q. Was he formerly a Democrat?—A. Yes, sir.

Q. Was he regarded as a respectable man when he was a Democrat?—A. I regarded him so; I have not heard any expression of opinion from other people.

Q. The Independent candidate for assessor was F. R. J. Terry; you know him?—A. Very well.

Q. Have you known him for several years?—A. Yes, sir.

Q. Was he formerly a Democrat?—A. I do not know whether he was or not.

Q. State whether or not he is regarded as a respectable man in the community.—A. I never heard but one complaint of Mr. Terry, and that is his drinking and dissipation, but the family is a very respectable family.

Q. The candidate for coroner and ranger on the Independent ticket was T. D. Akin; you were acquainted with him?—A. Yes, sir; I have known him for several years.

Q. Was he formerly a Democrat?—A. Yes, sir.

Q. Was he regarded as respectable while he was a Democrat?—A. Yes, sir; I think so.

Q. Is he still regarded as respectable?—A. I think so; I know nothing against him.

Q. It appears, in your opinion, then, that all the candidates on the Republican ticket last fall were respectable men?—A. Yes, sir; I state that, as individuals, I consider them so.

Q. You can state whether or not they generally belonged to respectable families in the county?—A. Yes, sir; I believe they did.

Q. You stated that Mr. Burnet's reputation for truth was not very good?—A. Yes, sir; not with me, it is not, and so far as I have heard expressions recently, it is not.

Q. When did you first hear any expression on the subject—before or after the difficulty of last fall?—A. I would not undertake to say when it was. I never heard much about Mr. Burnet at all until after he came to Hazlehurst. My opinion was formed of his conduct there. I have occasionally heard expressions that you would hear in a community. I do not know when it was.

Q. Do you know what his reputation for truth and veracity in that community was prior to the difficulties of last fall?—A. No, sir; I do not know that I do. I never heard much said about it.

Q. Who were the Republican or Independent candidates for supervisors last fall?—A. I do not recollect. In the district I live in Captain Lowe was the candidate.

Q. Do you know A. B. Lowe?—A. Yes, sir.

Q. He was the Independent candidate for supervisor there?—A. Yes, sir.

Q. Was he formerly a Democrat?—A. I do not know about that.

Q. Is he regarded as a respectable man in the community?—A. Yes, sir; he has been.

Q. What do you mean by that; when did he cease to be?—A. I do not know that he has.

Q. You still think that he is a respectable man?—A. Yes, sir; I think so. He is recognized in the community and treated so.

Q. Was he at one time sheriff of the county?—A. Yes, sir.

Q. By which party was he elected to the office of sheriff?—A. I do not know when he was elected. If the parties were divided he was elected as a Democrat, I think.

Q. He was the Democratic candidate for sheriff and elected as such?—A. I do not recollect whether he was nominated or not. After the war we had different ways. Sometimes we had primary elections and sometimes conventions. I do not recollect which way it was.

Q. Do you know John Terry, of Crystal Springs?—Yes, sir; very well.

Q. I understand that he was one of the Independent candidates for

supervisor last fall?—A. Yes, sir; he is not in our district, but I believe he was.

Q. Was he formerly a Democrat?—A. I think he acted with the Democratic party; yes, sir.

Q. Was he considered as respectable while he acted with the Democratic party?—A. He always has been.

Q. Is he still considered a respectable man?—A. I do not know the expressions up there, but he is with me.

Q. So far as you know what his reputation is, is it good or not?—A. Yes, sir. I heard complaints of his old friends—at least, I heard of complaints by his old friends of his loaning himself to that party and allowing himself to be run.

Q. That is the only complaint?—A. Yes, sir. I know the man well, and I think he is above reproach in every particular; there is no better man in the county.

Q. Do you know Anderson McGrew, a colored man, residing in beat 4?—A. No, sir; I know the name but do not know the man.

Q. He was Independent candidate for supervisor in beat 4, I am told. Did you ever hear anything against him?—A. No, sir.

Q. Do you know Henry Crum?—A. Yes, sir; I believe I do; very slightly, though.

Q. Do you know what his reputation is as a respectable citizen?—A. I never heard anything to the contrary.

Q. He was Independent candidate for justice of the peace at Gallman?—A. I think so. I know the man and that is about all I do know.

ROWAN B. RIALS sworn and examined.

By Mr. SAULSBURY:

Question. Have you ever seen an interview published with Mr. Burnet in a paper in which you were referred to?—Answer. Yes, sir.

Q. What was the statement contained in that interview in reference to yourself?—A. I believe he stated that he had received a letter, on the 8th of January, from Hazlehurst, stating about this shooting matter, and that it was Democrats who did it. I forget the words. I did not read it but once.

Q. In that letter was it represented that you were a Republican?—A. Yes, sir; it was stated in there that I was a Republican.

Q. And that the difficulty in your case was that you were assaulted by Democrats because you were a Republican?—A. Yes, sir.

Q. Are you a Republican?—A. No, sir; only as to Mr. Matthews; I voted for him.

Q. Had the difficulty which you had at that time, and to which reference was made in that letter, anything whatever to do with politics?—A. No, sir; it was just a drinking row. He was drunk and so was I.

Q. Nothing to do with politics whatever?—A. No, sir; nothing to do with politics. Politics was not mentioned.

Q. Did you belong to the Democratic club up there?—A. No, sir; I did not. I always voted the Democratic ticket, except as to Mr. Matthews, and that barred me.

By the CHAIRMAN:

Q. Do you say that in an interview of Mr. Burnet's you saw some letter published?—A. It was an interview with a Washington reporter—I believe it was.

Q. Was not the interview simply a statement of what was said in some letter?—A. I do not know. I did not pay any attention to it. I

was walking along and some fellow said, "Why, I did not know you were a Republican before. Here is Burnet writing about you." I said, "Oh, well let it go;" and he said "Aint you going to answer it?" and I said, "No; let it stand the way it is; I do not care anything about it one way or the other."

Q. You say you were not absolutely confined to voting with the Democratic party there. Where the Republicans put up an exceptionally good man you voted for him?—A. Well, I voted for Mr. Matthews, if he was a good man; he was to me.

Q. You regarded Mr. Matthews as a good man?—A. Yes, sir.

Q. Was he a kind-hearted man?—A. I do not think he ever had a dollar too good for anybody if they wanted it.

Q. Full of generosity, was he not?—A. Yes, sir.

Q. Was he an intelligent, active, business man?—A. Yes, sir.

Q. An able merchant?—A. I do not know much about that. I do not think he was much of a merchant.

Q. Was he not a merchant?—A. Yes, sir.

Mr. SAULSBURY. Mr. Burnet gave publicity in some shape to statements that this man had been assaulted because of his politics—had been assaulted by Democrats. I have not seen it, but I have been so informed, and I asked him if he had seen such a statement in the papers, and it was for the purpose of showing that this man had never been assaulted because he was a Republican.

By the CHAIRMAN:

Q. Were you shot or shot at?—A. I was shot at.

Q. Who shot at you?—A. There were stated to be two.

Q. Who actually shot at you?—A. H. B. Penn.

Q. Was he the man who served the resolution on Mr. Matthews?—A. I do not know as he did.

Q. Do you not understand he is the man who served that resolution?—A. No, sir; I think Mr. McLemore served that.

Q. The resolution on Ras. Matthews?—A. I do not know about that; that was down in beat three.

Q. You have no information with regard to that?—A. No, sir.

By Mr. SAULSBURY:

Q. The assault upon you then did not arise out of politics?—A. There was not a word said about politics in any way.

Q. It was just a drunken row?—A. Yes, sir.

N. B. SMITH sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. At Learned, Hinds County, Mississippi.

Q. Were you raised in Hinds County?—A. Yes, sir; since I was seven years old.

Q. Do you know A. W. Burnet?—A. Yes, sir; I have known him from infancy almost.

Q. Raised in the same county and neigborhood?—A. Yes, sir.

Q. What is the general character and reputation of Mr. Burnet in the community in which he was raised?

The WITNESS. Politically?

Mr. JONAS. No; I am not speaking politically; morally and personally.—A. Well, it was never considered good since he has become a man.

Q. You have known him since he became a man?—A. Yes, sir; ever since we were boys.

Q. He lived several years in Hinds County after he became a man?—A. Yes, sir.

Q. And that county adjoins Copiah?—A. Yes, sir.

Q. You have known him since he has been in Copiah County?—A. Yes, sir.

Q. Do you know what his reputation is for truth and veracity among the people there?—A. It was not considered good.

Q. Would he be believed on oath or otherwise in any statement he might make about matters, in which he was interested, among the people who have known him from childhood?—A. I have heard parties say, judging from his own actions, that they would not believe him on oath.

Q. What is your opinion about it?—A. It would be altogether owing to how far he was interested in the matter.

Q. Would you believe him upon oath upon a matter in which he had an interest?—A. No, sir.

Q. Would you believe him upon oath upon a matter in which he was prejudiced?—A. No, sir.

Q. Do many of your neighbors share your opinion?—A. I have heard several of them speak of it.

Q. And express the same opinion?—A. Yes, sir. I never had any dealings with him much, and I have formed my opinion more from what I have heard other people say.

By the CHAIRMAN:

Q. You say his reputation was good until he grew to manhood?—A. Yes, sir; so far as I know, as a boy it was very good. He came of a good family.

Q. And his reputation was good until he reached manhood?—A. Yes, sir.

Q. How far from him did you live?—A. My plantation and his father's are about 6 or 8 miles apart.

Q. You knew him as a boy?—A. Yes, sir; I have known him for twenty years or more.

Q. When he became a man did he become a Republican?—A. No, sir; he was what some people term a hot-headed Democrat, in our county, in 1875, 1876, and 1877.

Q. Did you ever hear anything against his truth and veracity until he became a Republican?—A. No; I never heard it till after that. I heard of things that transpired before he became a Republican, but I never heard of it until afterwards.

Q. But so far as you know his reputation was good until he became a Republican?—A. Yes, sir; so far as I knew.

Q. Did Mr. Burnet canvass the county in 1879 for his father?—A. Yes, sir.

Q. Did his father not run ahead of the ticket?—A. I believe he did.

Q. Was that not due a great deal to the popularity of his son?—A. No, sir; I think he injured his father. I think he would have got more votes if it had not been for the son. His father stands well.

Q. Is his father a Republican?—A. No, sir; I do not think he claims to have any politics. I have heard him say that he was an old-time Whig before the war, I think, and he affiliated with the Democratic party until he became soreheaded and launched off.

Q. Mr. Burnet has been an active Republican, has he not?—A. I do not know that he was ever a Republican.

Q. Well, active against the Democratic party?—A. He affiliated with the Democratic party until he aspired to office and was defeated, and then he went over to the other side.

Q. Political excitement has run pretty high in Copiah County of late years?—A. Yes, sir; in both Hinds and Copiah Counties.

Q. And persons who would shoot negroes or run them off or commit such offenses as have been charged here, whether they existed or not, would be likely to misrepresent decent men's personal characters, would they not?—A. No, sir; I do not think they would.

Q. You think a man who would commit murder would not necessarily attack a man's reputation, or have a feeling which would make him prejudiced against a man's reputation who was opposed to him politically?—A. I do not understand the question.

Q. I ask you if you do not think persons so excited as to commit the offenses described, would be so excited by their feelings as to form an unjust judgment of the character of a person to whom they were opposed politically?—A. No, sir; I do not think they would.

By Mr. JONAS:

Q. Did any of these persons whom you heard express an unfavorable opinion of Mr. Burnet's character ever commit murder?—A. Oh, no, sir.

Q. Were they persons of bad character who were committing outrages?—A. No, sir; they were men of very high standing.

Q. And good citizens?—A. Yes, sir.

Q. People who were friendly with Mr. Burnet's father?—A. Yes, sir; socially they were.

Q. And were his neighbors?—A. Yes, sir.

By Mr. CAMERON:

Q. Were they all Democrats?—A. I cannot say that they were all Democrats.

Q. Give the names of the Republicans or the Independents whom you heard make that statement?—A. Oh, I heard several. Which do you mean, politically?

Q. No, not politically at all; we are not talking about political reputation. You say that you have heard several persons state that Mr. Burnet's reputation in that community for truth and veracity was bad?—A. Yes, sir.

Q. Now, give the names of those whom you ever heard make that statement?—A. I can give you some of them; I do not hesitate to do it.

Q. I supposed, of course, you would not hesitate.—A. I heard Mr. Calvin Wells, a lawyer, make it.

Q. When did you hear him make the statement?—A. It has been two or three years ago.

Q. What did he say?—A. He was speaking about some law-suit that Burnet had up there in the courts.

Q. A law-suit with whom?—A. With a party, I believe, in New Orleans, and there was a note in it where Mr. Burnet denied the signature, and said he did not sign it, and they proved that he did sign it.

Q. Was not this Mr. Burnet merely the attorney in the case?—A. I do not know. That is all I heard of it. They proved his signature was to the note, and he denied signing it.

Q. You swear that they proved that A. W. Burnet's name was to the note, do you?—A. No; I am only telling now what I heard. I do not know that any of it was so, really.

Q. Did you ever hear that this man Wells was in a Democratic mob up there who hung two negroes?

The WITNESS. Up in Hinds County.

Mr. CAMERON. Yes.

A. Yes, I heard that Mr. Wells was in it—no, not in a Democratic mob.

Q. A mob of law-abiding and respectable white citizens, then?—A. It was a mob composed of both white and black. It occurred within a mile of my town.

Q. Mr. Wells was in that mob?—A. I do not know.

Q. Do you or not understand that he was?—A. My understanding is that Mr. Wells was not there. He was at the preliminary examination before the justice of the peace that evening and came to town and took the train and went home that night at seven o'clock, and the mob took place at nine, and he was not there.

Q. What other person have you heard state that Mr. Burnet's reputation for truth is not good?—A. I do not know. In speaking of Burnet up there all the time we were discussing politics, and you say you do not want it politically; you want it otherwise, and I think the whole of it, the most of it, is politically.

By Mr. JONAS:

Q. About that mob in Hinds County that hung two negroes. You say it was composed about equally of whites and blacks?—A. The blacks predominated.

Q. What were they hung for?—A. For robbing the grave and taking up the bones of a lady there.

Q. Was there anything political about it?—A. No, sir; nothing at all.

Q. And the blacks predominated in the mob?—A. That is what they said, and there were about 300 in the mob, and of that number at least 200, they said, were blacks.

Q. That did not occur during election time?—A. No, sir; that occurred since the election.

Q. It was a case of Lynch law?—A. Yes, sir.

The subcommittee then adjourned until Saturday morning, February 23, 1884.

NEW ORLEANS, LA., *Saturday, February* 23, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas.

The examination of witnesses was resumed, as follows:

FRANK HAYES (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Copiah County.

Q. What part of it?—A. In beat 3.

Q. What family have you?—A. None but me and my wife.

Q. Were you living there just before the last election?—A. Yes, sir; I have been there five years.

Q. What is your voting place?—A. At Mr. Spencer's Mill.

Q. Did you vote at the last election?—A. Yes, sir.

Q. Did anybody visit you before election?—A. Yes, sir.

Q. In the night?—A. Yes, sir.

Q. Armed men?—A. Yes, sir.

Q. Mounted men?—A. I reckon so. I do not know how many of them there was that came there in the night.

Q. Were there a good many of them?—A. I do not know. It was in the dark and I didn't see them.

Q. Tell me just what happened, and when it was.—A. It was about the 3d of November; it was the third day before the election.

Q. What happened?—A. They came there and broke my doors open and broke in the house.

Q. What did you do?—A. While they were breaking open the door I got up in the loft.

Q. What did they do?—A. They broke open the door and came in the house and shot twice in there.

Q. Shot twice in the house?—A. Yes, sir.

Q. Did they shoot anybody?—A. They shot my wife.

Q. Where did they shoot her?—A. They shot her right on the shoulder here.

Q. What next took place?—A. Then after they went out of the house, I came out of the loft and ran out of doors, and they shot me. I jumped off the end of the gallery and ran down on the ground, and they shot me in the leg and broke it.

Q. How many of them fired at you?—A. I believe there was two

Q. How many men did you see around there then?—A. It was in the dark. I could not see them.

Q. A good many?—A. I could not say how many was there. It was dark.

Q. What became of you then?—A. I was laid out there on the ground. After they all went off I dragged myself up to the gallery.

Q. Did you ask any of them to carry you home?—A. I asked them to help me up, and they did not do it, One of them said, "That is what you good men get," and he went off.

Q. How many guns were fired that night around your house or in it?—A. I don't recollect but five. They shot five times there.

Q. How long were you confined to the house?—A. I have been in the house now going on four months.

Q. You did not go to the election next day, did you?—A. No, sir; I never voted at all; I was shot.

Q. I asked you if you voted and you said you did?—A. I thought you asked about the election before that. No, sir; I did not vote at the last election.

Q. How long before you got out of the house?—A. It was two months I was in the house before I got out.

Q. You are lame now?—A. Yes, sir; I am lame now and not able to do anything. I can't work any. I can hobble a little on one stick.

Q. Have these men been to see you and help you since?—A. No, sir; there ain't none of them been to see me.

Q. How long was your wife laid up?—A. Well, she ain't never been laid up wholly; she has always been able to do a little something.

Q. Do you know what you were shot with, whether buckshot or bullets?—A. Buckshot, I think. The doctor said he thought there was one bullet.

Q. How long did you have a doctor?—A. He came to see me about six times, I reckon.

Q. Did you send for Dr. Jones first?—A. No, sir; he was not the doctor I sent for. The man I sent for brought him. I didn't turn him off after he came.

Q. Why?—A. I thought he was too scared to go any further, and I was glad to get any doctor I could get then.

Q. You thought he was scared to attend you?—A. I thought the man I sent after him was scared to go any further, and so I took him.

Q. Were the colored people frightened around in your neighborhood; did they take to the woods?—A. Yes, sir.

Q. Sleep in the woods?—A. Yes, sir.

Q. Many of them?—A. I do not know whether so many of them did or not; some of them did.

By Mr. CAMERON:

Q. Which political party did you belong to?—A. I have always been voting with the Republican party.

Mrs. FRANK HAYES (colored) sworn and examined.

By Mr. FRYE:

Question. Are you the wife of the man who has just testified?—Answer. Yes, sir.

Q. Were you shot previous to the last election?—A. Yes, sir.

Q. Where did the shot strike you?—A. Right here [indicating].

Q. In your throat?—A. Yes, sir; that was one place.

Q. Where was another?—A. Around on my shoulder.

Q. How many shot hit you?—A. I do not know; there were four places.

Q. Tell me just what took place that night; how long was it before election?—A. I think it was about two days before election, or three days.

Q. Was it Saturday night before election, which was on Tuesday?—A. Yes, sir.

Q. Tell me what you know about it?—A. Well, when they came, we were in bed, asleep; and they had got there, and we heard them say, fifty men surrounded the house. They woke us up. I didn't know what it meant, but I thought it meant something or other, but we didn't know who in the world it was, and it excited me. I don't know none of them.

Q. What did they do?—A. They came in and they shot.

Q. Did they break the door in?—A. Yes, sir; they broke the door in.

Q. How many shot?—A. I don't know how many shot; but they shot in there two or three times to my remembrance.

Q. Did they hit you then?—A. They shot me in the house there, but I don't remember when they did shoot me.

Q. How many came into the house?—A. There was three in there to my knowing when the shooting was.

Q. In your room?—A. Yes, sir.

Q. How many were around the house?—A. They said there were fifty men.

Q. Were there a good many?—A. It looked like there were.

Q. Did they have guns?—A. Yes, sir.

Q. What took place after they shot you?—A. When they shot me my husband he was up in the loft, and he ran out of the loft and started out, and they shot him. I commenced hollering; I thought they was going to kill him; and they told me, one did, if I didn't stop he would shoot me; and then he went off.

Q. Did they come around to your house any time since that?—A. Not to my knowing.

Q. Had you heard these men firing around in that part of the country before that night?—A. Yes, sir; I heard them shooting, but I thought it was just the speakings. I didn't know it was anything like that.

Q. You didn't know they were shooting men and women?—A. No, sir.

PERRY B. KING sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in Copiah County.

Q. At Hazlehurst?—A. Yes, sir.

Q. Are you a druggist?—A. Yes, sir.

Q. The partner of Mayor Williamson?—A. Yes, sir.

Q. On Monday night before election was Major Barksdale there in Hazlehurst?—A. I think he was.

Q. The man who is now member of Congress from that district?—A. Yes, sir.

Q. Did you hear him making a speech that night?—A. Not that night; no, sir; not at night.

Q. That afternoon?—A. In the afternoon I heard part of his speech—just the winding up of it.

Q. Where was the speech you heard; where was he standing?—A. In front of the court-house, up on the veranda.

Q. Where was the crowd?—A. Down in front, on the street.

Q. Were they mounted and armed?—A. Most of them were.

Q. Was it the same crowd that had been perambulating the streets?—A. Yes, sir.

Q. Armed with guns?—A. Yes, sir; some of them; not all.

Q. Did you hear a noise over there, or see the crowd—you went over there, I understand?—A. No, sir; I was down at the store when the speech was at the court-house, and heard Major Barksdale making a speech. I didn't know that he was in town until then, and I went up there to hear it. I was there about ten or fifteen minutes, and he was about through when I got there.

Q. What did you hear a man in the crowd say to him, and what did Mr. Barksdale say in reply?—A. I heard a man tell him that he wanted them to give these Independents, and fellows that called themselves Independents (I don't know that those were his exact words), warning that if they had to come back there two years from that time they would have meat.

Q. What did Mr. Barksdale say in reply to that?—A. He sort of halted, like he didn't know what to do; it threw him off his balance. But he answered that by saying to get their meat to-morrow and carry the election, so help them God; that is the way he wound up his speech.

Q. Do you know Mr. Burnet, who sits here?—A. Yes, sir.

Q. How long have you known him?—A. I have been personally acquainted with Burnet, I guess, two years.

Q. Did you ever hear his integrity or veracity called into question?—A. Well, I have heard a right smart said about it since all this political trouble got up, but never before.

Q. So far as you know, was he a good citizen and an honest man?—A. So far as I know personally he was. I never heard anything to the contrary.

Q. He belonged to a good family, did he not?—A. I don't know anything about his family.

Q. What is your politics?—A. I am a Democrat.

Q. Did Major Barksdale make another speech in the evening?—A. I am told that he did at night, but I did not hear him.

Q. In the court-house?—A. Yes, sir.

By Mr. JONAS:

Q. Was that remark that you heard Major Barksdale make a part

of his speech, or a remark made in answer to the person who addressed him?—A. I could not tell you whether it was directed to the party or to the audience; I could not tell which. He just remarked it in the same tone that he did when he was speaking.

Q. Had he quit the stand then?—A. Yes, sir—— no, he hadn't; he was just on the eve of quitting.

Q. Who was it that made that remark to him?—A. I think it was a man named Brown.

Q. What Brown?—A. I think it was Edwin R. Brown.

By Mr. FRYE:

Q. A Democrat?—A. Yes, sir; I think he is.

By Mr. JONAS:

Q. Who did he address his remark to, Major Barksdale or the crowd?—A. I think it was to Barksdale. He said, "I want you to give these people warning," and Major Barksdale made the answer in reply to it.

Q. You say you had a very good opinion of Burnet. What was his general reputation in the community?—A. I say I never heard anything said about it, of his being anything but a gentleman, at that time. In fact, I do not know much of him. I have been acquainted with him for two years. I never knew much of him until about a year ago, that is, personally.

Q. Since you have known him, within the last year, has his character been good and his standing good in the community in which he lives?—A. So far as I knew, until they got up this trouble and newspaper reports, and so on. I have seen things published myself, and heard people speak of them, that, if he said them, I do not think it is so; but whether he ever said them or not I do not know.

Q. Have you seen what purported to be interviews with him in the city of Washington published?—A. It seems to me I have seen one.

Q. You have read one interview?—A. Well, not more than one.

Q. An interview published in the National Republican, in Washington. Have you seen that copied in other papers?—A. I do not remember what paper it was in.

Mr. FRYE (to Mr. Jonas). Do you refer to any particular interview? I understand there are two interviews published, one of which Mr. Burnet says is true and the other one he says he never had. Can you distinguish between the two?

Mr. JONAS. There has been only one introduced in evidence here; the one that he acknowledges is true. [To the witness.] You do not allude to the one which was in reference to a letter which he turned over to the editor of the paper?

The WITNESS. I do not say that I saw anything of that nature.

Q. You allude to the one which made a general statement as to the occurrences in Copiah County prior to or about the time of the election?—A. Yes, sir.

Q. Were the statements in that interview, so far as your knowledge extends, true or false?—A. I could not say, because I did not know much about it.

The CHAIRMAN. I do not wish to make any suggestion which will embarrass you, Mr. Jonas, but it strikes me that as that paper is here at your service, without holding to strict rules, it would be well if you would call attention to any statement in that interview and inquire whether, in regard to that particular statement, the witness thinks it is true.

Mr. JONAS. The witness started to say a few minutes ago that he had seen certain things in the papers which, if true, would affect his opinion of Mr. Burnet.

The WITNESS. Well, I saw in his evidence in the Times-Democrat that he was reported to have said that he was shot in Hazlehurst on election day.

The CHAIRMAN. I would like to state the case and have what I say taken down as a part of these proceedings. The statement ascribed to Mr. Burnet that he was shot on election day occurs in a report in one of the papers of the testimony before this committee, I do not remember which one; but by some accident, probably in transcribing his notes or writing them out, the reporter made Mr. Burnet say that he was shot on election day, when in fact, as we all know—all the members of the committee—Mr. Burnet's testimony was that he was shot two or three weeks before election day.

Mr. FRYE. On the 6th of September, several weeks before.

The CHAIRMAN. So that I would suggest to you, is it worth while to call witnesses to prove that Burnet must have told a falsehood because of that slip in that report?

Mr. JONAS. I do not wish to have such an imputation laid upon me, and therefore I will state, first, that I did not call the witness; second, when it was stated that he had been shot on election day, I took the initiative before you said a word, and asked if that was not a mistake. So that I am not trying to get a statement of that kind from the witness.

The CHAIRMAN. That is perfectly true and I should not have indicated that. But there have been one or two witnesses who have been called who have said that Burnet must have told a falsehood if certain things attributed to him in the papers were true, and specified that as their instance. Although it is true there has been no proposition about that by this witness, it has been done in this case.

Mr. JONAS. I told the witness that that was a mistake immediately. [To the witness.] Did you see any other statement?—A. That is the only one I remember to have read. The county paper there is the only paper I get. I do not read much except that and the Times-Democrat.

J. H. HURD sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I am living here in New Orleans.

Q. You were subpœnaed here in town?—A. Yes, sir; in this city.

Q. Did you formerly live in Copiah County?—A. Yes, sir.

Q. Were you up there at or near the last election?—A. Yes, sir; I went up there from here about a week or so before the election. I came down here and staid about four days and went back.

Q. What day did you go back last?—A. I don't remember exactly.

Q. Were you there on election day?—A. Yes, sir.

Q. Were you there the day Mr. Matthews was shot?—A. I was in Copiah County, but not in Hazlehurst until that night.

Q. Where were you on Monday, the day before the election?—A. In Crystal Springs.

Q. State what took place, so far as you were concerned, and what knowledge you have of what was going on there.

The WITNESS. What took place in Crystal Springs?

Mr. FRYE. Yes.

A. Well, on Monday while I was in Crystal Springs there were three

or four came to me and wanted me to go with them on the night before the election, on Monday night, down to Georgetown, or Brown's Store beat.

Q. Were they Democrats?—A. Yes, sir; they were Democrats. I objected to it, for I found out what they wanted to go for; I would not go.

Q. What did they say they were going for?—A. To take some tickets away from some leading negroes down there by the store.

Q. You refused to go?—A. Yes, sir; they came to me twice; they came to me on Saturday, and on Monday again.

Q. Did they tell you on Saturday what they wanted you to do?—A. Yes, sir.

Q. Do you know whether they went on their mission to get the tickets away from the colored men?—A. I was only told so by one of the party.

Q. Did you see one of the party next morning?—A. Yes, sir; I saw him the day of the election.

Q. What did he say?—A. He told me that he went and that he had a pretty rough time of it he said.

Q. Did he have blood on his hands?—A. He had it on his shirt, on his bosom. He unbuttoned his coat and vest.

Q. Where did he say that the blood came from?—A. It came off a negro by the name of Mose Smith. I am not sure the negro's name is Mose Smith, because he has changed his name once or twice since the war; but his name is Mose, and I think he goes by the name of Mose Smith.

Q. He said the blood came from Mose Smith?—A. Yes, sir.

Q. Did he tell you what they did out there?—A. He said they went to Orange Catchings and asked Orange for the tickets that he brought out from Hazlehurst, and Orange told him, he first said that he had not got any, and then he said that he had given them to Mose, and they taken Orange up behind them and carried him over to Mose, and when he asked Mose about it he denied it and put his hand in the pocket of his overcoat on his pistol, as he supposed, and then he knocked him down with a navy six. That is what he told me.

Q. Did he tell you how many were in that crowd that went around for tickets?—A. No, sir; he didn't tell me how many, but he mentioned several names.

Q. Were you there after Mr. Matthews was killed, in Hazlehurst?—A. Yes, sir; I was there that night and the next day until the train went up to Crystal Springs.

Q. Did you express any opinion about the murder?—A. Yes, sir.

Q. Such as what?—A. I was in Mr. Hogg's grocery and confectionery store and I asked Hogg, I said I can't find out what Matthews was killed for; and asked him if he knew what Wheeler killed him for, and he said there were no hard feelings between Matthews and Wheeler. I think he said two weeks before the election Wheeler and his brother were staying on his place and were talking about Matthews and Hargrave, and he said that Jack Wheeler, I think it was, had gone to Hargrave to borrow some money and he had refused, and that he had gone to Matthews and got the money; and he went on to state that he had pledged himself to beat 3 to kill Matthews. Mr. Hogg told me himself, before the crowd that was in there, that he said he had nothing against Matthews, but he had pledged himself to beat 3 to kill him, and he had done it, and was not ashamed of it.

Q. That is what Wheeler said?—A. Yes, sir; Hogg told me what Wheeler said.

Q. What is Mr. Hogg?—A. He used to be a Republican. I think he is a Democrat.

Q. What did you say?—A. I told him if that was the case it was cold-blooded murder if there were no hard feelings between them, and he had only pledged himself to beat 3, and that I did not think Ras had the heart to do such a thing. After I staid in there a few minutes I started towards the depot and got about half way, and a part of this crowd, six or eight, met me about half way from the depot to Hogg's grocery, and three of them presented their pistols at me and said I had to take back what I had said. I told them I would under the circumstances.

Q. Under what circumstances?—A. The pistols cocked in my face and breast; and they said that I had to leave town that day. I told them so far as leaving town was concerned I did not know so much about that; that I had some friends there as well as they had, and they said they would see that I left.

Q. Had you said anything else, except that this was a cold-blooded murder?—A. That was all the remark I made.

Q. Did they refer to that conversation?—A. Yes, sir.

Q. That is what they drew their pistols on you for and ordered you to leave?—A. Yes, sir.

Q. Did you finally promise them you would leave?—A. I did not promise them exactly. I said I would see about that; that I had some friends there as well as they had. But after I had talked with one or two parties they told me I had better leave, and when I went to Crystal Springs I told John Gillespie and Barron that they drew their pistols on me, and they said, "If you think it is cold-blooded murder, you keep your mouth shut, the way times is now." I says, "If a man can't express his opinion it is a poor country. I am going to leave here in a week or so any way, and then I can say what I please."

Q. When did you leave, as a matter of fact?—A. I left Crystal Springs about eight or ten days after the election.

Q. Did you stop in Hazlehurst long, after this conversation?—A. No, sir; I left there that evening on the 5 o'clock train.

Q. Was there a good deal of excitement around Hazlehurst itself?—A. Yes, sir.

Q. Were there mounted men there?—A. Yes, sir.

Q. Did you see armed and mounted men around there?—A. I saw them on Tuesday night—the day of the election and the next day; they were in town until I left.

Q. How many did you see?—A. Something over 100, I guess. There were a good many.

By Mr. JONAS:

Q. What is your business or occupation?—A. I have been clerking for Ratcliffe, Reynolds & Co.

Q. What business were you in in Copiah County?—A. I was not in any business there then. My relatives all live there, and I went up to see them.

Q. When you lived there, what was your occupation?—A. I was a farmer.

Q. Who was the man who told you about the expedition in search of Moses Smith, the man who had blood on his shirt?—A. I had rather not give his name; I had rather not mention it.

Q. I want his name.—A. Well, if I have to give his name I want to understand that first. I do not care a cent; I can give his name. It was Joe Grantham.

Q. Where does he live?—A. In Copiah County.

Q. What part?—A. When I was there he was living at Hopewell Church; within 2 or 3 miles of Hopewell Church.

Mr. FRYE. I interrogated this witness before he was put on the stand. He mentioned to me some names. He told me that he could not give those names to this committee, and asked me if he would be compelled to do so. I told him that if he stated to the committee that, for good reasons, he desired to be excused from giving those names, undoubtedly the committee would excuse him. I simply want the witness to understand now that I believed that to be true, because witnesses had been excused from giving names, and to say to the witness that if other names are inquired of him I still believe that he cannot be compelled to give the names unless he pleases. I do not want him to think that I have led him into a trap, in other words.

Mr. JONAS. Mr. Chairman, we are here to conduct an investigation into alleged outrages which occurred in Copiah County. Witnesses are brought here to make general statements implicating individuals, and without naming them the implication of the charge is against all the people of that county. We claim that the people of Copiah County—an immense majority of them—are law-abiding, good people. There has been no grand jury held in that county and no term of court since this occurrence. We believe, and we are assured by those people, that any man who has violated the law will be brought before the grand jury and brought before the courts for trial. We have a right to ask that all these individuals who are charged with crime shall be named, so that we can find out who they are, whether they are guilty or not, and give them a chance to exculpate themselves before this committee. We object and shall protest against the slandering of a whole community without naming the particular individuals who have committed the particular crimes of which they are charged, and we shall insist on the name of every man being given to this committee who is accused of having committed a crime or outrage at this period.

The CHAIRMAN. If any witness is asked to give a name, or to answer any other question, and is unwilling to do so, he will state his unwillingness to the committee in answer to the question. When that statement is made it will be time enough for the committee to determine whether it is possible that reasons may exist for his not doing so. The committee may be of opinion that the same spirit which, if the testimony we have so far heard be true, resulted in the murder of Print Matthews and of Wallis and the other cases of violence, and which prompted the presenting of three pistols at the head of this man simply because he expressed an opinion that a certain act was a cold-blooded murder—expressing an opinion which made Mr. SAULSBURY, a member of this committee, think it was an insult to him to suppose that he would even have one of the men, responsible for it, sit by his side—it is possible that the committee may hereafter think that that would be a reason for not compelling the disclosure of names; that the same spirit might revenge itself upon a witness who should testify. But it is a question we shall deal with when it arises.

Mr. SAULSBURY. Do I understand the chairman of this committee now to repeat in the presence of this committee, the allegation against Mr. Sexton which was made in the New York Times by the clerk of this committee?

The CHAIRMAN. What I say is that Mr. SAULSBURY yesterday said that the imputation that he would have a person who had instigated these acts sit by his side to advise with him about the conduct of this case was an insult to him.

Mr. SAULSBURY. I say so; it was an insult to me. I at first thought that the Senator meant to convey the impression that Mr. Sexton was an instigator of these things.

The CHAIRMAN. Nothing of the kind; I said nothing of the kind.

Mr. JONAS. Before asking further questions I wish to say that Senator Frye had no right to make any arrangement or agreement with this witness, or any other witness whatever, before putting him on the stand, that he should not be interrogated or forced to give the committee the names of persons to whom he would allude. The committee are certainly not bound by it. I wish to say in addition, that certainly it will be the grossest injustice and outrage to the people who are accused, if this witness is permitted to say that one person committed outrages up there and gave him information of other outrages which he charges on the whole people, and for which they will be responsible, unless the particular individual is discovered, or that he can be permitted to say that three persons presented pistols at him, which you, Mr. Chairman, have assumed to be true, and have repeated as evidence, unless this witness names those people and identifies them from the body of that community, and allows us to call those people before us, or witnesses to contradict this witness who is now on the stand. Unless that is done we have a right to assume and to charge before the country that these people are mere "men in buckram," and creatures of his own imagination, and that he is casting a slander on the whole people.

The CHAIRMAN. Undoubtedly you would have the right to make that or any other argument. But one suggestion: The witness has given the name of the person in regard to the matter of which you have asked. No other question yet arises for our consideration.

Mr. FRYE. I desire to make one remark. The Senator says I had no right to say that to the witness.

Mr. JONAS. Not as binding the committee.

Mr. FRYE. I say, Mr. Chairman, that a community claimed by Mr. Jonas to have over 2,000 white Democrats in it, with nine-tenths of the white Democrats peacable, law-abiding citizens, which allowed this hellish, base business to go on for three weeks before the election; allowed poor ignorant colored men to be murdered—knew that they were murdered; allowed them to be whipped—knew that they were whipped, and still held their peace, and allowed that devilish crew to pursue their business—I think I have a right to assume of those people in that county, that if the witness testifies and gives names that he will be punished for giving the names, and therefore I told him when he said he was afraid to give names that I did not believe he would be compelled to give them. That community may have recovered from the condition in which is was for two or three weeks before this election, and may hereafter punish some of these men whose names are given. But, Mr. Chairman, if my life depended upon the Democrats of Copiah County punishing these men who went around there and gave them 2,900 votes last election and reduced the Independent vote to 700, I should hate to have it hinge on the virtue or the stability of such a people.

Mr. JONAS. The Senator from Maine will have ample opportunity to make his stump speech in Congress after we shall have taken this testi-

mony and made our report. We are discussing now a simple question of evidence.

Mr. FRYE. You were questioning my right to say what I did, and I thought it best to frankly tell the committee what I did say.

Mr. JONAS. But before that you stated that you had given this witness this assurance of protection.

Mr. FRYE. I stated generally to the committee, and you said I had no right to make such a statement.

Mr. JONAS. I said you had no right to give him any assurance on behalf of the committee that we would exempt him from giving the names. This witness is in no danger, granting all that you say is true. He is living in New Orleans and not in Copiah County. I do not suppose that it will be pretended that any man is coming from Hazlehurst to attack him. He is in no danger against these people. He is making a most outrageous charge against that community, and I claim he ought to fix the charges upon individuals, and state who the three men were who presented pistols at him. [To the witness.] Who were the three men who presented pistols at you?

The WITNESS. I do not know who those men were. There were hundreds of men I had never seen there before.

Q. But these three men who were in Hogg's confectionery store talking to you?—A. There were seven or eight in the crowd that drew pistols on me.

Q. Name some of them.—A. I do not know the men.

Q. Were you not raised there?—A. No, not at Hazlehurst.

Q. Were not any of these Hazlehurst people?—A. No, sir.

Q. Do you know any of the people who came to you and told you you had no right to express such an opinion?

The WITNESS. You mean that drew the pistols?

Mr. JONAS. Yes.—A. No, sir.

Q. Did you know any men in the crowd who told you it was better for you to leave town?—A. I knew none in the crowd I was talking to except Mr. Hogg. That was when I made this statement about the murder. But I had gone out of there, and I was about half way from Mr. Hogg's to the depot.

Q. And some people followed you from Mr. Hogg's?—A. No, sir; I do not say they followed me; I say they met me about half-way.

Q. But they had been there, and heard you make that remark?—A. Some of them were in Mr. Hogg's and heard me talking.

Q. You knew none of these men?—A. No, sir; I have not lived right around Hazlehurst for two years.

Q. Did you not know anybody in that crowd?—A. None, except Mr. Hogg. When we were talking in Mr. Hogg's grocery, Mr. Hogg was the only man I knew. Mr. Hogg remembers very well what I told him.

Q. But you knew none of these men who talked with you on the way to the depot?—A. No, sir.

Q. Why did you say to Mr. Frye that you did not want to give the names of these men to the committee unless you were compelled to do so?—A. Because Mr. Grantham is a particular friend of mine and others who were with him who wanted me to go with them.

Q. Did you not make that reservation with reference to some of these people who heard this conversation at Hogg's and wanted you to leave town?—A. No, sir; I said I did not want to give the names of those parties who wanted me to go with them on the night before the election.

ORANGE CATCHINGS (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. I live in Copiah County, Mississippi.

Q. What part of Copiah County?—A. I live in beat 5.

Q. What is your voting place?—A. Brown's Store.

Q. Prior to the last election had you received tickets to be distributed amongst your colored people?—A. Yes, sir.

Q. Who had given them to you?—A. Mr. Matthews.

Q. Print Matthews?—A. Yes, sir.

Q. Were you waited upon before the election, at any time, by an armed mob; did anybody take those tickets away from you?—A. Yes, sir.

Q. Tell the committee about that.—A. Well, there came some gentlemen there and taken the tickets; Mr. Matthews sent the tickets out on Saturday by me. I was in town, and he told me to give the tickets to William Campbell to issue, you know, on the day of the election, and I did so; I brought them out on Saturday, and saw some one going to Campbell's and told Campbell to come right down and get those tickets, and he came down about 10 or 11 o'clock, and I gave him the tickets; and about Tuesday night there came, I reckon, about twenty men.

Q. Not Tuesday night; Tuesday was election day.—A. Well, Monday night, I must say; I was mistaken in that; there came some gentlemen in my yard who rode around. I went down in my garden.

Q. Were they armed?—A. I never saw nary a one. I heard a mob shooting down at the branch, about 200 yards, and I ran out of the back door and went behind my garden; they came and rode around. I was looking at them; they rode like men on dress parade; they had very good arms. Then they went off directly down the road, and they got down to the place about where we usually vote, and they shot off a gun and went on. I never heard nothing of them no more until about 4 o'clock, when then they came back there again; my yard was full, and all outside and everywhere, it looked to me, was full of men, and one came in the house who had a long pistol. He never hailed, but just came right in; he came in cussing; he said, "God damn your old soul, get up and make up a light."

Q. That was 4 o'clock in the night?—A. Yes, sir; 4 o'clock in the night. I gets up to make a light, and he cussed me so and talked about shooting me so that I was scared. I was so scared I could not blow the fire for looking at the man, and I had some little dry trash in it, and I believe it kindled itself. I thought God blowed it up. Then he axed me, "Where are those tickets." I said, "They ain't here." He looked like he got madder with me when I said that, for some one had told him that Matthews had given me the tickets. My old lady said, "Please, Mr. Gentlemen, he is telling you the truth"—she taken the conversation away from me, I could not talk fast enough. She said, "My old man brought the tickets out, but he did as Mr. Matthews told him; he gave them to Mr. Campbell." "Well," he says, "you have got to reduce those tickets." I did not have anything on but my shirt, and I said, "Look here, please let me put on my breeches, if you please." He said, "God damn you, I do not care anything about your breeches; the tickets are what I am after." And one of the gentlemen said, "Let the old darkey put on his clothes; we will wait on him."

The CHAIRMAN. I did not hear of any gentleman there but the darkey himself.

The WITNESS. I mean to say I called them gentlemen. They let me put on my clothes and started off with me, and my old lady hollowed and cried, and said "Do not kill him," and they never said whether they were going to kill me or not. When I got out in the yard this man took me off to myself about twenty steps, and he told me not to be scared. He said, "We are not going to hurt you," he said, "all we want is them tickets." He said, "You just reduce them tickets and I won't hurt you; let us have them; we will be responsible for them." just so, and went on and took me up behind his mule about a mile where we had to go, and when we got about half a mile, the road was so full of men and horses towards my house that it took as much time as you have had me here before they could get turned to Mr. Campbell's house. When we got to Campbell's I saw a light in the house, and they were hunting the tickets, but Campbell's wife would not give them the tickets; they had the tickets in their hands all the time, wrapped up in little pieces of newspaper. They carried me in there and asked for the tickets. They said, "God damn you, if those tickets do not come we will kill you." I said to his wife, "Where are those tickets?" She allowed to me that she did not want to give them up. I spoke solid to her; I said, "Give them men those tickets," and then she got them and handed them to them, and they said "That is all we want"; and they said to me "Old man, you can go home now; we are done with you."

By Mr. FRYE:

Q. Then you went home?—A. Yes, sir; I went on back home.

Q. Do you know what they did up to the other house?—A. They did not break in nobody's house up that way there.

Q. Were the colored people frightened around there?—A. Yes, sir; all of them were staying in the woods.

Q. Did you vote election day?—A. No, sir; They told me not to go to the polls. They said, "Don't you go to the polls." He said, "If you are going to vote the Democratic ticket come on, as many as you want, and tell all the balance of the negroes if they are going to vote the Democratic ticket to come on to the polls if not stay away."

Q. You are a Republican, are you?—A. Yes, sir.

Q. Did you ever vote the Democratic ticket?—A. Yes, sir; I voted it for one President, I forget his name, but I never voted for the State and county officers on the county ticket, except when I thought they were honest men, you know.

J. S. WARE sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Jackson, Miss.

Q. Are you secretary of the Capital Light Guards?—A. I am.

Q. Were you at any time in November last ordered to Hazlehurst with a detachment of the company?—A. Yes, sir; on the night of the election, I think it was.

Q. With how many guns?—A. Forty guns, and we carried something over one thousand rounds of ammunition.

Q. Did you carry them to Hazlehurst?—A. We did; yes, sir.

Q. What did you see when you got to the depot in Hazlehurst?—A. When we got off the train there we saw a large crowd of men—armed men—I suppose about 75 or 100; most of them armed.

Q. Mounted?—A. No, sir; those right at the train were not mounted.

Q. Who was at their head?—A. A gentleman named Meade seemed to be at their head.

Q. Chairman of the Democratic committee, did you learn?—A. I learned afterwards that he was chairman of the Democratic committee.

Q. Did he say anything to you?—A. Not to me, but to our first lieutenant, Mr. Robinson.

Q. Did you hear him?—A. Yes, sir; he said he had been authorized by the sheriff to receive the guns and ammunition.

Q. Was the sheriff there?—A. I think not; I did not see anything of him.

Q. What were these men armed with who were standing around there?—A. With shotguns and muskets, they seemed to be principally.

Q. Were the guns turned over to Mr. Meade?—A. Yes, sir; he unloaded them from the baggage car at the depot, and they were taken by the mob that were standing around there and by some of our company to the court-house, and there we turned them over to Mr. Meade formally, and took a receipt from him.

Q. Did you see the receipt from Mr. Meade?—A. I did not see it.

Q. Do you know whether it was signed by Mr. Meade?—A. It was signed "J. L. Meade," so our captain informed me; in no official capacity, but his name was signed, and the receipt was turned over to him when we got our guns back again.

Q. Did you stay there that night?—A. Till about daylight.

Q. Did you stand picket?—A. Yes, sir. Most of our men did picket duty.

Q. What did you see in the night?—A. I saw armed men parading the town on picket duty as well as our company.

Q. Did you see squads together?—A. Yes, sir.

Q. Roaming around the town armed?—A. Yes, sir; most of them were armed; all that I saw that night were armed.

Q. Armed with guns?—A. Yes, sir; guns.

By Mr. SAULSBURY.

Q. You carried about forty guns, did you?—A. Yes, sir.

Q. That was the night of the election?—A. Yes, sir.

Q. After the election was over?—A. Yes, sir; after the election was over.

By Mr. CAMERON:

Q. By whose order did you proceed to Hazlehurst?—A. By order of our captain—Captain Green. We had instructions from the governor.

By Mr. FRYE:

Q. From Governor Lowry?—A. Yes, sir.

LEE DANIEL sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. Jackson, Miss.

Q. In politics are you a Democrat?—A. Yes, sir.

Q. Are you second lieutenant of the Capital Light Guards?—A. Yes, sir.

Q. Did you take guns from the governor down to Hazlehurst on Tuesday—election day?—A. Yes, sir; on Tuesday, the night of election.

Q. And ammunition?—A. Yes, sir.

Q. How many guns and how much ammunition?—A. We were or-

dered to take forty guns and we took as many as one thousand rounds of cartridges.

Q. Who did you deliver them to?—A. To J. L. Meade.

Q. Chairman of the Democratic committee?—A. I suppose so; I heard so afterwards.

Q. Did he give any receipt for them?—A. I do not know that; I heard afterwards that he gave it to the first lieutenant in charge of the detachment.

Q. Signed in his name?—A. I suppose so.

Q. Were you in Hazlehurst the day after election?—A. Yes, sir.

Q. What did you see?—A. I saw a good many armed men in town, 100 or 150, I suppose.

Q. People were coming in from all around—armed men?—A. They seemed to be.

Q. Armed with guns?—A. Some with guns and some with pistols.

Q. Did you hear the band playing?—A. The band played, I think, about 11 o'clock at the court-house and for some time during the middle of the day.

Q. Did you hear any threats or threatening talk?—A. Yes, sir; to some; that it would be well for the Matthews family not to make any attempt to avenge the death of J. P. Matthews.

Q. Did you hear anything about Burnet that day when you went down there?—A. I heard that Burnet had left to keep from being killed; that it was not very safe for him to stay there.

Q. Did you hear that if he came back that night he would be killed?—A. I heard something to that effect; that it would not be safe for him there that night.

BENJAMIN SANDIFORD (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Copiah County, in beat 5, 14 miles from Hazlehurst.

Q. What is your voting place?—A. Brown's Store.

Q. Did any of these gentlemen wait on you?—A. Yes, sir.

Q. What time?—A. At 1 o'clock Monday night.

Q. Before the election?—A. Before the election.

Q. How many of them?—A. That is untellable.

Q. Were they armed?—A. Yes, sir; they were armed.

Q. A lot of them?—A. Yes, sir.

Q. What did they do?—A. When I found them out they were standing in my gallery in my house; it was full, and the yard was filled with horses and men. They cocked their guns and pistols over my head, and ordered me to get up and open the door. I asked them what was the matter, and they said, "Get up; get up and come out." I said, "What is the matter; I have never done nothing, and what is up?" "Get up, God damn you! Get up, God damn you! If you don't we will come in." My wife asked me not to get up. I said I had not done nothing to nobody. I got up, and by the time I got to the door, they grabbed me as though I had killed somebody, on both sides, and went leading me on out of doors. I said, "Gentlemen, hold on! Gentlemen, hold on; do not carry me out of doors. I have nothing on but my drawers and shirt. Do not carry me out of doors naked." One of them said "Don't carry the old man out of doors naked," and stopped to talk to me. "Well, we want you to solemnly swear that you won't go to the election to-morrow." I said, "What for?" They said, "God damn

you, you must swear it." I said, "I have loaned one of my neighbors my horse to ride to Hazlehurst to-day, and promised to meet him to-morrow, to get my horse." At this time some of them hollowed out, "Fetch him out! Fetch him out, God damn him! He swears he will go." They made me hold my arms up and swear that I would not go until after the election, and jerked my collar bone against the post so that I have not been able to split rails this spring. Then they went up the road shooting. That was 1 o'clock. At 3 o'clock there came another crowd. I never had went to sleep, I was frightened up so. I heard the crowd coming, and I got up and blew out the lamp and took my pants in my hands and stepped out on the gallery, and said, "Wake up the boys and let them get out;" they might bother them if they can't find me." I stepped out of doors in the dark and went close to the men standing in the road making their plot how to treat me when they came there. I stopped until the two boys got out of doors, and they rode up to the gate and hollered out, "Get up! get up!" but I never moved from where I was, and they ran in—a couple of them did—towards the door, and my wife fastened the door, and they found they could not push it open, and one went around behind the house and hollered, "Here he is, in here, the damned son of a bitch! Bring in your rope! Bring in your rope and let us hang the damned son of a bitch." I still lay still. Then they put in to cursing when they found they could not get in. Then they went to cursing my wife. They said, "God damn the spare-made bitch," and I do not know how many kinds of bitches that they did not call my wife, and they scared the children so that they all went out of the house the back way into the kitchen patch, and I still lay there; and then after that I was afraid and did not go to the election, because I was afraid to go there on the election.

Q. Are you a Republican?

The WITNESS. Me?

Mr. FRYE. Yes.

The WITNESS. Well, I most always vote a split ticket. I do not go for the party; I want to try to get good men in office.

Q. You are not a Democrat?—A. No, sir; I never voted a straight Democratic ticket; but if there was a good Democrat in office I wanted to support him. I wanted an honest government if I could make it. I was raised there and never have been bothered in my life until then.

Q. Didn't they tell you how they wanted you to vote?—A. No, sir; they said not go to the election, but they never said how they wanted me to vote.

SOL. SMITH (colored) sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In beat No. 2, Copiah County.

Q. What is your voting place?—A. Salter's box, and some call it Ashland.

Q. Were you living there just before the last election?—A. Yes, sir.

Q. Are you a Republican?—A. Yes, sir.

Q. Did those gentlemen call on you?—A. Yes, sir.

Q. When was it, and what did they do?—A. They came to my house on Monday night, just before day—just at the dawn of day. The day was breaking when they came there, and I was awake, and I heard them coming. I heard them riding around all night.

Q. You heard them firing all night?—A. Yes, sir. I saw the crowd

coming, and they hollered "Tailholt," and I recognized the whole crowd, and I knew they were not going to bother me. I thought they were a parcel of fellows going down to the election. I was lying on a lounge, and I got up to strike a light, and I said, no, I will wait until they get by, and not interfere with them. They came up and got down, and one fellow said, "Is this the place"? He did not know exactly where it was. And they said, "Yes," and some of them got down at the gate; the rest all rode around the house, and they rode up and called me, and says, "We have got you now! Come out, we have got you!" I never said anything. They ran against the door and broke it down and came in. They asked me then for the tickets, and I told them I had the tickets there. I always carried the tickets.

Q. You were the ticket distributer?—A. Yes, sir.

Q. They were Republican tickets?—A. Yes, sir. I told them the tickets were there, but they were the tickets that we aimed to vote. I did not know what to do about it, and they said "God damn you, give those tickets up or we will shoot you." I lit a lamp and set it back on a little table and handed over the tickets and he took a ticket and held it near the lamp and read it and he said: "You God damned son of a bitch, what in hell are you doing with these God damned tickets?" Then he took out a long horse-pistol and he knocked me down and took and beat me with the horse-pistol. There were too many of them for me to do anything with them, and he beat me over the head there a good while with the pistol. That is after he took the tickets. He passed the tickets to one of the boys, and he commenced then to beat me over the head with the pistol. Then I reckon that some of the fellows there said that he would have killed me if it had not been for them. Well, he came mighty nigh it anyhow, and there was a report that he had killed me, but he did not. But they hurt me pretty bad.

Q. Did they take the tickets away and go off?—A. Yes, sir.

Q. Do you know how many of your people they visited around in that neighborhood before the election?—A. Before the election? Well, they didn't do anything in our neighborhood until the night before the election.

Q. Do you know how many they visited that night?—A. No, sir; I do not know many. I think they made a clean sweep of them and went around to everybody. When they got to my house their horses were near clean rode to death.

Q. Did you vote the next day?—A. No, sir; I could not get to the box; they beat me up so I could not get off nowheres; I was sore. They pecked my head full of holes; they just pecked it all to pieces.

Q. Do you know whether those were Democrats or not?—A. Oh, yes, sir; all of those were Democrats; every one of them.

DANIEL CRUMP (colored) sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Copiah County, Mississippi.

Q. How far from Hazlehurst?—A. About 12 miles.

Q. In what beat?—A. Beat 2.

Q. Did anybody come to your house before the election?—A. Yes, sir; they came there and burned it up.

Q. When was that?—A. That was about a week before the election.

Q. Tell the story; what happened?—A. I do not know what happened. They just came there and put fire to it and shot at the door.

Q. Were you at home?—A. Yes, sir.

Q. Who were they that came, mounted men on horseback?—A. No, sir; they were foot men.

Q. How many of them?—A. I saw two of them.

Q. Was it in the night or day time?—A. It was in the night.

Q. What time?—A. A little after 10 o'clock.

Q. White or colored men?—A. White men.

Q. Were they Democrats?—A. Yes, sir; I reckon they was.

Q. What did they do, and what did you say?—A. I didn't see them when they put fire there, but they commenced shooting their pistols at the door, and one of my boys started out at the door and they shot at the door and he ran back into the house and shut the door, and I came out and they still shot at the door, and I told them I was going to try to see who it was. I was within about six feet of them.

Q. Did you know them?—A. Yes, sir; I knowed them two men I saw.

Q. What were their names?—A. One of them was Mr. Little.

Q. Where did he live?—A. About four miles from there where I lived.

Q. In the same beat?—A. Yes, sir.

Q. Who was the other one?—A. He lived right there about half a mile from where I lived.

Q. What was his name?—A. Tom Norman.

Q. Tell about setting the house afire; how did they do it?—A. I do not know how they done it, but then they had fire to it. I reckon they put coal-oil on it, because I went out there and poured a bucket of water on it and it seemed to flash.

Q. They put something on the house to make it burn?—A. Yes, sir; I sent one of my boys on top of the gallery to try to keep it out of the roof, and they shot so up there that he came down and could not do anything to save the house.

Q. They prevented his putting it out by shooting?—A. Yes, sir; there was some four or five pistols shooting; there was more than two men shooting.

Q. Was not this Thursday night before the election?—A. No, sir; it was on Wednesday night or Tuesday before the election.

Q. Did they say anything to you?—A. No, sir; they didn't say anything to me.

Q. Did you hear them say anything at all when they were shooting there?—A. When they were shooting at my boy and he jumped down off the house I heard them laugh at him. That is about all I heard them say.

Q. Did you go to Hazlehurst to prosecute the men?—A. Yes, sir.

Q. Did you go to Mr. Miller?—A. Yes, sir.

Q. Who is Mr. Miller—the district attorney?—A. Yes, sir.

Q. He was a lawyer there, was he?—A. Yes, sir.

Q. He is now district attorney?—A. Yes, sir.

Q. What did he say?—A. He told me to go back home. He said he could not do anything with it until after election. He said it was election time now, and let it alone until after election and then he would try to do something with it.

Q. Who did you go to then?—A. I went to Mr. Matthews—he told me to go to Mr. Matthews and tell him to let me have something, that they had burned up all my things, and get some clothing.

Q. What Mr. Matthews did you go to—Print Matthews?—A. Yes, sir.

Q. What did he do?—A. He got Mr. Burnet to have an affidavit taken out against them, and said he was going to have them arrested.

Q. Did he let you have something?—A. Yes, sir; Mr. Matthews let me have some things.

Q. Has there ever anything been done with that case so far as you know?—A. No, sir; there ain't anything been done with it so far as I know of. They came there a bulldozing me one night before the case was to be tried, I think it was on Thursday night, and the case was to be tried on Saturday. They came there and said they were going to kill me if I showed myself, and I had to withdraw the affidavit.

Q. Who told you that?—A. The men who were bulldozing me that night.

Q. That was after your house, was burned up, was it?—A. No, sir; it was after the election.

Q. Where did these men find you?—A. They found me on my place.

Q. State what happened then; who came then?—A. There came, they said, fifty of them there; I say about 25 men, I reckon.

Q. Did you know any of them?—A. Yes, sir; I knowed a right smart of them.

Q. State the men you knew among the twenty-five?—A. Mr. Little, I think, was one, and Mr. Norman and Jasper Beasley, John Beasley, Elbert Beasley, Marion Little, Gus Fletcher, Dick Fletcher, Gus Stevens, and Ashley Stevens. I believe that is all I can recollect of.

Q. Did they come to you in the night on your place?—A. Yes, sir.

Q. Where were you sleeping?—A. I was not asleep at that time. We were out on a sort of watch around anyhow. We had heard so much talk of the bulldozers we were not any of us asleep.

Q. What happened then?—A. They said that they was a law themselves, and if I didn't withdraw the affidavit they was going to kill me. They said that Mr. Matthews was killed, and that they thought Charlie Oliver was killed. And they said they made sure Mose Smith was about dead. And they reckoned to kill me that night. And then all the main people would be dead.

Q. Did you tell him you would withdraw the affidavit?—A. I told them I would go to Hazlehurst and see if I could do it.

Q. Go with them?—A. Yes, sir; I went with them out there.

Q. To Hazlehurst?—A. Yes, sir.

Q. The same night?—A. No, sir; that was afterwards, on a Saturday.

Q. Who did you go to Hazlehurst with?—A. I went with them; them that I had the affidavit against, Mr. Norman and Mr. Little.

Q. You went with them?—A. Yes, sir.

Q. Did you go to see Mr. Miller?—A. Yes, sir; I went to see him.

Q. What did he tell you then?—A. He told me not to do it, and I told him I could not help myself, that they said they were going to kill me that night if I didn't do it.

Q. He was the district attorney elected at that election?—A. Yes, sir.

Q. Did you do it?—A. I told him I wanted him to fix it in some way or other so that I could get out of it, and he said he would do it. He said it would belong before the grand jury and the circuit court.

By Mr. JONAS:

Q. Mr. Miller said that, did he?—A. Yes, sir.

By the CHAIRMAN:

Q. Was there anything else that he said?—A. No, sir; that is about all that he said to me.

Q. That is all you have done about it, is it?—A. Yes, sir.

Q. Did you go to Mr. Williamson's?—A. Yes, sir; we went to Mr. Williamson's first, you know.

Q. What did you tell Mr. Williamson?—A. I told him the same thing. He is the man who wrote out the affidavit against me.

Q. Who got out the affidavit against you?—A. Yes, sir.

Q. Did you vote at that election?—A. No, sir.

Q. Did you go to vote?—A. Yes, sir.

Q. Why did you not vote?—A. The tickets were not there; they came after a while; I suppose my son-in-law went after the tickets to Mose Smith's. It was late when they got there, and they taken the tickets and looked at mine, and said we should not vote them tickets.

Q. Who said that?—A. Mr. Middleton Beasley; he said if we voted them tickets we would get into trouble.

Q. Were there any armed men at the polls there at that poll?—A. They had several pistols, and I saw them carry two double-barreled guns down to the box.

Q. Was Beasley armed when he told you that?—A. I do not know whether he was or not.

Q. Are you a Republican?—A. Yes, sir.

Q. Is Beasley a Democrat—A. Yes, sir.

Q. Did they visit you on Wednesday after the election?—A. Yes, sir; on Wednesday night or Thursday night, I disremember which; it was after the election, though.

Q. Did you see anybody whipped?—A. They whipped one of my boys and my son-in-law there.

Q. For what?—A. Cause they voted. That was the same night they cotched me, but they hit me only three or four licks, and I got away from them. They hit me with a stick three licks, and one lick with a pistol.

Q. Who was it that beat your boy?—A. I don't know exactly. Gus Fletcher was the man who did the whipping. They carried him up the hill there from the house.

Q. How badly did they beat your son and son-in-law; how many blows did they give them?—A. They gave them a right smart brushing. They said they were going to whip every one who voted.

Q. Were your son and son-in-law Independents?—A. Yes, sir.

Q. They did not vote the Democratic ticket?—A. No, sir.

Q. Were these men who whipped them Democrats?—A. Yes, sir; I reckon they was.

By Mr. SAULSBURY:

Q. Have you not stated that that burning of your house did not grow out of politics at all, but grew out of a lawsuit you had with Mr. Little?—A. I don't know whether the burning was for that purpose or not; the lawsuit was going on all the year.

Q. You were having a lawsuit with Mr. Little, were you not?—A. Yes, sir.

Q. Have you not stated to persons that there was nothing political in the burning of your house at all, but that it grew out of your lawsuit with Mr. Little?—A. Well, you see it would not be possible for me to give my ideas about that; I said it might have been that and it might not have been.

Q. In your testimony you have not stated that they said anything to you at the burning about politics at all?—A. They never said nothing to me about nothing, no way.

Q. They said nothing to you, when they burnt your house, about politics, did they?—A. No, sir.

Q. Did you compromise your lawsuit with Mr. Little at all?—A. No, sir; we have not compromised it that I knows of.

Q. At the time you went to Mr. Miller did not Mr. Miller tell you that he would have these parties prosecuted when the grand jury met, for burning your house?—A. Yes, sir; that is what he said he was going to have done by the circuit court, if I understood him right.

By the CHAIRMAN:

Q. Did you own this house yourself?

The WITNESS. The one that got burned?

The CHAIRMAN. Yes.

The WITNESS. Well, it was on a place that I had bought from Mr. Little.

Q. How much land had you there?—A. There was 196 acres, I think, on the place. I had not paid him for the place, any that I knowed of. He sold me the place and gave me three years to pay for it in without any disturbing me, and he ran in on me before the first year ran out.

Q. You did not have any lawsuit with the other men who whipped your son and son-in-law?—A. No, sir; I never had any lawsuit with them at all.

Q. Your lawsuit was not to be tried on election day, the next Tuesday after your house was burned, was it?—A. No, sir; it was to be tried on Saturday.

Q. This lawsuit had been going on about twelve months, had it not?—A. Yes, sir.

By Mr. SAULSBURY:

Q. It was the Saturday before the lawsuit was to be tried that your house was burned; it was to be tried the next Saturday after your house was burned?—A. Yes, sir; and that was after the election. The election was on Tuesday.

By the CHAIRMAN:

Q. What became of the lawsuit; was it tried on that Saturday?—A. No, sir; they never tried it at all.

Q. Why not?—A. You see, after they made me withdraw the affidavit I ain't heard nothing about it.

By Mr. CAMERON:

Q. Have Little and Norman been arrested for burning your house?—A. They was to have been arrested, but then I think they gave bonds.

By the CHAIRMAN:

Q. These men are out at large who burned your house, and against whom you made your affidavit; they are not in jail?—A. No, sir.

Q. They are around yet?—A. Yes, sir.

FRANK M. SESSIONS sworn and examined.

By Mr. FRYE:

Question. You have heard of the long resolutions notifying the Matthews family to keep out of politics, and all that sort of thing, have you?—Answer. I heard the resolutions read; I have not seen them.

Q. Were you present at the meeting at which those resolutions were adopted?—A. When the resolutions were read they were then adopted, and ordered to be printed; that is, they were requested to be.

Q. Answer my question, if you please. Were you present at that meeting?—A. Yes, sir; I was.

Q. What time was it?—A. It was the day after the election.

Q. What time in the day?—A. I suppose it was 10 or 11 o'clock; I imagine it was; I had rode 12 miles.

Q. Was it after dinner, or before?—A. It was before dinner.

Q. Where was it held?—A. It was held in Hazlehurst, in the court-house.

Q. How many people, in your judgment, were present?—A. There was a considerable crowd; I imagine there was as much as three or four hundred; I think I could safely say four hundred persons in the court-house.

Q. Were they principally white men and Democrats?—A. They seemed to be white men, the majority, so far as I could see. I saw a few negroes on the left. I was in the rear so that I could not see.

Q. Were they Democrats, so far as you knew them?—A. They principally were, so far as I knew.

Q. Do you remember who was chairman of the meeting?—A. No, sir; I cannot say.

Q. Did anybody make a speech?—A. Yes, sir; there was a speech made there that day.

Q. Was not Jesse Thompson called to the chair at some time during the meeting?—A. At the beginning it seemed that Jesse Thompson, as I think, was called to the chair, but I could not say he was, there was so much noise, and I taken it to be his voice who read the resolutions, though I would not positively say that.

Q. Will you state what was done about the resolutions while you were present; were they read?—A. Yes, sir.

Q. All of them?—A. Yes, sir; that is, I did not see them in print. I do not know what "all" is.

Q. You heard the long list of resolutions read?—A. Yes, sir.

Q. Relating to the Matthews family, were they?—A. Yes, sir.

Q. And beat No. 3 having the banner; was that in it?—A. I do not recollect anything about the banner.

Q. But it was about the Matthews family, you know that?—A. Yes, sir; the resolutions specified about the Matthews family.

Q. What was done after they were read?—A. Nothing serves my memory now.

Q. Was a vote taken?—A. Oh, yes, sir; they were adopted.

Q. That is what I want to know. Were they adopted by a vote?—A. Yes, sir.

Q. What proportion of the crowd voted for them?—A. I really cannot know, except one person.

Q. Who was that?—A. That was Major Barry.

Q. What did he say?—A. When the resolutions were read Major Barry got up and I saw him then and knew his voice very well, and I could see his head and his hands, though there were many persons standing, and there was a heap of shouts so that you could scarcely hear at the time, and he proposed that they strike out the clause of the resolutions that held the Matthews family and relatives responsible for any violence that might occur to individuals or other parties.

Q. Then what happened?—A. He wished this stricken out, and the crowd cried out "No!" I could hear many persons say "No, no, no!" and then they gave applause and music, and Major Barry seemed to sit down. I imagined he sat down; at any rate he hushed a while, and after there was quietness Major Barry got up a second time and commenced

to talk about it and they drowned him out again with "No!" They then put the resolutions to the house and a good large voice said "Yes!" they were in favor of it.

Q. Did they make a good deal of noise, a good deal of demonstration?—A. Yes, sir; and then they put the contrary and Major Barry said "No!"

Q. Did anybody else say no?—A. I did not hear any other.

Q. Was there a good deal of enthusiasm?—A. There seemed to be.

Q. Was Joe Bailey there?—A. Joe Bailey is the person who spoke.

Q. What did you hear Joe Bailey say?—A. Bailey's speech was long and tedious.

Q. Tell the committee some things that you remember.—A. Well, in the beginning of his speech there was much applause, so that it seemed as though it was a long while before he could get started off. But after a while, when the music and shouting ceased, he commenced in a moderate tone somewhat, and said that they had won a great victory. He says, "My friends, you have won a great victory." He says, "Democrats we were, and Democrats we are." He says, "We have got a Democratic stock of officers," and he says, "By the next election we hope to have a Democratic Congress." And something about that way he spoke along something in moderation. And some persons by this time hollowed out to the left of the house from where I was—I was back in the rear, they were in front of me—"Tell us what they done in beat 3." I do not think that Bailey had said anything in regard to beat 3 prior to that time. And they shouted then, several hollowed, and after that abated he says, "Now I will tell you something about beat 3." He says, "I went down in beat 3, me and my friend Wheeler," and he says, "I had thought to stump the beat, but," he says, "after I got down there in a portion of that country we came to the conclusion that I could do more in the saddle than I could on the stump. Therefore, we went around to electioneer."

Q. Did the crowd applaud when he said those things?—A. Yes, sir; there was much applause in his speech. He seemed to be a flowery speaker and tolerably witty. He then says, "And I tell you," he says, "when we started out we took along with us something like this." About the time he said that I could see an opening in the crowd ahead, and he pulled out a pistol, I took it to be—a good long one. He says, "We took along something like this." Then he put it back in his bosom. Many persons laughed then. He never stopped his discourse, and went on saying a few words in regard to electioneering, and, he says, "I tell you, my friends, it is the best method of electioneering I ever have seen."

Q. Then what did the crowd do?—A. They laughed.

Q. Did they cheer?—A. Yes, sir. There was not so much cheering then. There was some laughter and some hollowed. Well, he says, "I wanted to tell you about our electioneering." And he went on and he says, "My friend Wheeler is a noble hand to electioneer."

Q. Did they applaud that?—A. I do not recollect that they did exactly at that time. I will tell you as near as I can. He says "We would go down," and he says, "we would come to a house, and my friend Wheeler would get right down and go right in and take a seat right by the fire with those persons;" and he said, "he would electioneer a few minutes, and they most invariably agreed to vote the ticket before we left." Then he had some applause. Then they asked him, "Did you hurt anybody?" That voice was heard in the crowd. He says, "Oh, no; we didn't hurt anybody."

Q. Do you remember anything else that he said?—A. I do not recollect anything of importance, and I do not know that that was really of importance.

Q. What is your politics?—A. I have not had anything to do with politics; I have been neutral generally. I had said I was independent, meaning before that time; that is, after the Independent party rose up, that I was neutral. But when the party was adopted as Independents, I have always since claimed myself neutral.

Q. You had not been a Republican?—A. No, sir; I never had been a Republican.

Q. Were you in the Confederate army?—A. Yes, sir. Those persons in my neighborhood that there was much talk about committing depredations, I never had had fears of their interfering with me. I was always frank to say what I thought about the thing.

Q. Did you hear anybody in that crowd ask Bailey what they must do with those Independents after this victory; if they must kill them?—A. Mr. Bailey said in his speech that it would be well for some persons to go around and see those people who affiliated with the opposite party and were voting different or were willing to vote different to us, and encourage them to come together and vote with us, he said. And I do not remember the words, but there were several words said in regard to asking them to turn out, and as he wound up that passage of his speech he says, "If they agree to come back and vote with us grant them all courtesy and be peaceable with them; but in the event that that should fail," he says, "then what shall we do?" The house cried out then in much tones, "Kill them out; kill them out." It was all gloomy before me, so many persons that I could not see who it was, but there was a loud voice said, "Kill them out" after the cheering subsided.

Q. They cheered that, did they?—A. Yes, sir. Then Bailey said, "No, I would not advise you to kill them out," but he said "I believe you will do it without advice."

Q. Was anything said about the next time having a Democratic President?—A. I do not really recollect that there was; no, sir; I could not say that. It was only the next time that he thought we would have a Democratic Congress. That came in near the close of his speech. I do not recollect about the President.

Q. Who is Joe Bailey—a Democrat?—A. I suppose he is; I never had any intimate acquaintance with him. I met him once or twice at Hazlehurst before I heard him speak. He seemed to be a very clever nice man.

Q. I should judge so from his speech.—A. Yes, he seemed so. That was about the first of my acquaintance. I had seen him just a few times.

By Mr. SAULSBURY:

Q. At that meeting where those resolutions were passed did you hear anything said about any threats having been made by the Matthews family at any time in regard to avenging the death of Print Matthews?—A. No, sir; I did not hear any one say anything of that sort that I recollect.

Q. Did not the resolutions and preamble declare that threats had been made to that effect? Did not the preamble to the resolutions declare: "Whereas, we are informed that threats have been made by the friends of Print Matthews," and so on?—A. I could not really say. You just bring to memory this much that was said in the street, if you will allow me to chop it up in that form: In the speech, Bailey spoke of a

grievance that had been caused by the family, something in regard to having persons arrested some long time before.

Q. You heard the resolutions; did not the preamble of the resolutions themselves set out as the reason for that meeting that threats had been made by the relatives and friends of Mr. Matthews to avenge his death?—A. I declare I cannot say, positively, that they did. I will tell you this much. It seemed that the mass meeting held up something of that form, but I do not recollect about that.

Q. Was or was not, at this mass meeting, the sentiment proclaimed that it was called for the purpose of protecting persons and property from injury by the Matthews family, in consequence of the death of Print Matthews?—A. I did not hear any words of that sort.

Q. At that meeting was there not very great excitement? Did not the people seem very much excited about something?—A. I should have thought they were from what I saw.

Q. I ask you if you did not hear in this meeting that the cause of that excitement was the apprehension felt that the friends and relatives of Print Matthews would attempt to avenge his death?—A. No, sir; I did not.

JOHN T. HULL sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. I reside in Jackson, Miss.

Q. Have you recently been proprietor and editor of the Tribune?—A. Yes, sir; during the last campaign I published the Jackson Tribune. I was one of the editors, the senior editor, of the Tribune.

Q. Have you received, in exchange, the Copiah papers?—A. Yes, sir.

Q. Were you in the habit of reading them the last three or four weeks before the election?—A. Yes, sir; I read them very carefully.

Q. After the election did you see them?—A. Yes, sir; I read them for several weeks after.

Q. Did you ever see the Copiah Signal newspaper?—A. Yes, sir.

Q. Is it Mr. Meade's paper?—A. During the campaign it was edited by J. L. Meade. As I understood it Mr. Oscar Johnson, who owned the paper, sold it to Mr. Meade or some other parties, and Mr. Meade was editor during the latter part of the campaign.

By the CHAIRMAN:

Q. I think Mr. Mitchell testified that he was.—A. Mr. Mitchell was, I think, the proprietor, perhaps. Both their names were associated in the paper.

By Mr. FRYE:

Q. Were these disturbances in Copiah County for two or three weeks before the election notorious over that section of the country?—A. Yes, sir; it was a notorious fact, not only in Copiah County, but at the capital and elsewhere, that affairs were in a very bad condition in Copiah County, and trouble was apprehended.

Q. Did you ever see in the Copiah Signal any denunciation whatever of the methods pursued in Copiah County?—A. None at all. On the contrary, it seemed to me that every issue of that paper fanned the flame.

Q. Did you ever see any condemnation of the death of Matthews in that paper?—A. None at all.

Q. What did you see about it in that paper—about Mr. Matthew's death?—A. The issue after the death of the late J. P. Matthews contained an article—the most striking thing I noticed was the head-lines

of a column article, perhaps, in which it said that "Copiah shakes hands with Yazoo," but a general description of the killing was not contained in it. I think the only mention of the death of J. P. Matthews was that he was killed in a personal difficulty with Wheeler. Possibly that may have been in the Copiahian.

Q. Was the Copiahian a Democratic paper, too?—A. Yes, sir; the Copiahian was a Democratic paper, but it was read out of the party before the election.

Q. Why?—A. The Copiahian is an old-established paper published there for years, and Colonel Vance, editor of the paper, although a Democrat, was very conservative in his views and supposed to be fair and willing to publish all sides. During the last election he gave items of news from the Independents, and seemed to displease the Democrats there, and I noticed a few weeks before the election that nearly every issue of the Copiah County Signal, that is Meade's paper, and the Crystal Springs Meteor, also another Democratic paper, contained a series of resolutions from different clubs throughout the county in which the paper was condemned and the support of Democrats that had heretofore been given to that paper was asked to be withdrawn. It was placed upon the Index, you might say.

Q. What other paper was that you just mentioned?—A. The Crystal Springs Meteor.

Q. What is that; a Democratic paper?—A. It supported the Democratic ticket there; yes, sir.

Q. What is the Brookhaven Leader?—A. That is a Democratic paper also, published in the town of Brookhaven.

Q. Is it somewhat conservative?—A. Rather liberal in its views and treatment of subjects.

Q. The Vicksburg Post, is that a Democratic paper?—A. Yes, sir; it is a Democratic paper.

Q. Published at Vicksburg?—A. Yes, sir.

Q. The Tribune was published by you?—A. Yes, sir.

Q. Did you at any time cut from the Copiah County Signal, under date of November 9, an article reading, "Greetings. After the revolution, Copiah shakes hands with Yazoo"?—A. No sir; not exactly that way. I cut from the Copiah County Signal an article which I have just given the heading of: "Copiah County shakes hands with Yazoo." Those were the words; "Copiah County" or "Copiah shakes hands with Yazoo."

Q. Did you cut from the Yazoo Democratic paper this response: "The people referred to did that precisely which they ought to have done in the matter under consideration, and we applaud the determination manifested by them to preserve the safety of society and protect the well-being of both races, even if they had to resort to extreme methods to put down the disturbers of the public peace in their midst."—A. I cut that from a three-quarter column article in the Yazoo Herald.

Q. Of November 6?—A. Yes, sir; I recognize that.

Q. Did you cut from the Copiah County Signal of October 18, 1883, prior to the election, the following, which I read:

The Independents out in beat 3 imagine they are entitled to full possession of the affairs in that locality, but they are laboring under a grave mistake. The Democrats are not going to be ruled or dictated to by them any longer. The negroes had as well understand this now. If they will not vote with the Democrats, it would be best for them and the country that they refuse to participate in the election. The weather might be warm that day and they might possibly get sun-struck.

Did you cut that from the Copiah County Signal October 18, 1883?—A. I cut that from the Signal. I think that was the date; that was about the correct date.

Q. I see in the Copiah Signal a good many references to the election of 1875 in Mississippi. Was the election of 1875 known as the election under the shot-gun policy?—A. I believe that is the name by which it is known throughout the North.

Q. Was it an election under arms?—A. The election of 1875 in Mississippi is a long story.

Q. I do not want the long story, but was it an election where men were mounted, and was it the year that there was a revolution in politics and the Democrats gained absolute control of the State?—A. The Democrats gained control of the State in 1875 and 1876.

Q. Were there any guns fired in Mississippi in 1875?—A. Yes, sir; as a matter of course, certainly. The election of 1875 and the revolution of 1875 was caused by many reasons. It was a unification of the white people against the colored people in point of fact, and the difference between (if I may be allowed to draw a distinction) 1875 and revolutions that have occurred since is, that in 1875 there was a voluntary union of the white men against the colored men. In the late elections it is an attempt to make a forced union of the whites against the blacks.

Q. You were not a Republican in 1875?—A. No, sir.

Q. You were a Democrat?—A. Yes, sir; I was a Democrat until 1877, when the Democratic convention proclaimed a certain resolution which I did not exactly indorse, and that, amongst other things, determined me to abandon the party.

Q. Do you know Mr. Burnet, who sits by me?—A. I have known Mr. Burnet for a number of years; yes, sir.

Q. Did you know his family?—A. Yes, sir; about all my life.

Q. What kind of a family is it in Mississippi?—A. It is as honorable a family as there is in the State.

Q. Has it always been so regarded?—A. Yes, sir.

Q. What do you know about the Mr. Burnet who is here?—A. I have known Mr. Burnet personally, I think, since 1879, possibly a year before. I know nothing against Mr. Burnet at all.

Q. Were you in the canvass with him?—A. I was in the canvass of 1879 with him.

Q. Was that his first attempt at public speaking?—A. I think he won his spurs that year.

Q. Did he achieve considerable influence in the party?—A. He achieved considerable local reputation in our county. His father was Republican candidate in our county, and Mr. Burnet met the candidates on the other side, the speakers on the stump frequently, and I understood he acquitted himself creditably.

Q. Did he at any time meet on the stump and divide time with your governor?—A. I understood that during our last election down in the county he divided time at the barbecue with Governor Lowry. I was not present.

Q. In the next election was Mr. Burnet a candidate himself?—A. Mr. Burnet was a candidate for the State senate during that same year.

Q. Do you know how he came out as compared with the balance of his ticket; did he hold himself up to the full?—A. I think so. Possibly Colonel King may have received a few more votes, but I do not know that he did. I speak without any statistics before me.

Q. Do you remember whether in the home of the candidates opposed to him he got a large majority?

The WITNESS. Down at Port Gibson?

Mr. FRYE. Yes.

A. I cannot testify on that point.

Q. Have you ever heard the integrity of Mr. Burnet called into question until it was called in question here on this trial?—A. I would like to explain on that point. It has been my observation from a number of years experience, that political friendships and political alliances govern men to a great extent, unfortunately, in their estimation of the character of other men. So far as the character of Mr. Burnet is concerned, I have nothing in the world against him; in fact I have heard considerable in his praise, a great deal in his praise from the opposition and from men who are naturally very bitter and extreme men. You will hear criticisms of all men, men whose character is as pure as ice and as chaste as snow; they do not escape calumny, as the poet says. I dare say I have heard criticisms of Mr. Burnet from extreme Democrats as I have heard them of the late lamented Colonel King, as pure a man as was in Mississippi. I have heard criticisms from that source of Mr. Burnet, but from none other.

Q. Did you not hear the opponent of Mr. Burnet compliment him in that canvass of 1879?—A. I certainly did. I heard candidates on the Democratic ticket speak in high terms of him. I remember, now, Mr. McWilley and I had a conversation about Mr. Burnet. At that time Mr. Burnet was unknown; he lived in a remote part of the county—I mean unknown as a public man, and we were all surprised that he had acquitted himself so well. Mr. McWilley and I had a conversation about Mr. Burnet once. He was a candidate then and was elected on the Democratic ticket, and he spoke of Mr. Burnet as a very sprightly man, a very intelligent man, or something of the kind. It was in terms of praise, and I have heard a good many others also.

Q. How did Colonel Stewart, who met him in joint discussion, speak of him?—A. I think Colonel Stewart spoke of him in terms of friendship and of pleasure at meeting him; appreciated him as a man of intelligence.

Q. I will call your attention once more to the Copiah Signal. Was this what it contained touching the death of Matthews: "In a personal difficulty on last Thursday morning, J. P. Matthews was killed by E. B. Wheeler."—A. Yes, sir; to the best of my recollection. I do not recollect whether that was in the Signal or the Copiahian, but my best recollection is that that was contained in one or the other.

Q. That is all that you ever saw about it in either of the papers, at any rate?—A. Yes, sir; that was all.

Q. I will ask you whether or not this article was clipped from the Vicksburg Post [handing a paper to the witness]?—A. (After examining the paper.) Yes, sir; that was clipped from the Post. I clipped it myself.

Q. It is in your paper?—A. Yes, sir.

Mr. FRYE. I will read this from the Vicksburg Post, a Democratic paper:

"A free ballot and a fair count" does not seem to be the motto of the Copiah County Democracy. In the attempt to cast his vote at Hazlehurst, Print Matthews received a charge of twenty-four buckshot in the face, killing him instantly. It is said the Copiah County Democrats were afraid Matthews might get up a riot. But the facts are that he went to the polls single-handed and alone, and in the attempt to exercise his privilege of American citizenship was shot down like a dog.

This is the worst murder that has occurred in Mississippi since the Chisholm killing. It will injure the good name and material prosperity of the State. Besides, it will furnish capital to the Republicans in the coming Presidential contest. They can well

ask: "Where is your free ballot in Mississippi, when the contents of a double-barreled shotgun are poured into a man who dares to attempt to exercise his right to vote?" Every bullet that was shot into Matthews will be worth thousands of votes to the Republicans, because it will be said, and cannot be denied, he was killed on account of his politics by intolerant Democrats.

Q. What is the Vicksburg Evening Post?—A. That is the same paper.

Q. That, then, is a Democratic paper?—A. Yes, sir; that is also.

Mr. SAULSBURY. You do not put in those extracts under oath?

Mr. FRYE. Only the fact that they are in the paper as indicating public opinion. Do you object?

Mr. SAULSBURY. I do not object to anything you choose to put in.

Mr. FRYE. Very well; then I will put in some more. Here is an article from the Vicksburg Post of December 22, 1883 [to the witness]; you say that is a Democratic paper?—A. Yes, sir.

Mr. FRYE read as follows:

As a matter of general interest we print to-day a communication purporting to give a truthful statement of the killing of J. P. Matthews and of the bad condition of politics in Copiah County. The correspondent bears us out in the opinion we expressed weeks ago, that the good people of Copiah County do not approve of the killing of Matthews. When the good and quiet people of that county have the opportunity they will rebuke those who are now carrying things with such a high hand and who pretend to represent the true sentiment of the people of that unfortunate county. From the facts developed and statements from all sources in regard to the killing it would be strange if even a community of savages could honestly sanction such a terrible murder; and when the pressure ceases, and the true sentiment of the people finds expression, it will be found that a large majority of the citizens of Copiah are utterly opposed to the killing and to the resolutions of the Hazlehurst mass meeting. The writer of the communication is a Democrat, and opposed the Matthews party in the recent election.

Our correspondent gives his views in regard to the question of suffrage, and favors disfranchising and colonizing the negroes. The suffrage and race question is a problem that puzzles our great statesmen. A few years ago, when the exodus of negroes to Kansas was threatened, according to our recollection the Democratic politicians and newspapers were generally opposed to the negroes leaving the State. Individually, we were then in favor of making no attempt to dissuade the negroes from leaving the State; possibly our State would have been better off if all of them had gone.

The Republicans of the Northern States also complain of the evils engendered by ignorant suffrage, and charge that the Democratic party in that section contains a large element of ignorance.

But we have a large negro population in our State, and the dominant party and race should treat them with kindness and justice in all business relations. Wisdom and prudence should be exercised so as not to infringe upon the political rights of any one. Of course our people do not want and will not submit to a rule of ignorance and corruption, but this can be averted without committing such a terrible murder as was that of Matthews, and without passing such foolish and intolerant resolutions as those of the Hazlehurst mass meeting.

Q. What is the Weekly Mercury?—A. It is a Democratic paper, published in Meridian, Mississippi.

Mr. FRYE. Here is an article from this Weekly Mercury of November 30, 1883 [reading]:

We can recognize the fact that the bloody shirt shriekers can never fully understand the situation when Southern men have to do so desperate a thing as shooting down a man like Print Matthews. They live in a land where it is well nigh impossible that a state of society could exist to render it possible that such deeds could occur among a civilized people—not only possible, but probable, and the natural, inevitable, and certain sequence of the situation. They don't know and can't know anything about the excited negro under the influence of vile, bad white men. They never saw the negro as he is. They only know him from books, probably books as antiquated and untruthful as Uncle Tom's Cabin. If they could know the negro as he is, they could see what seems now to them pure cussedness, reason and good sense in the warning given out by the Copiah mass meeting against any white man's organizing negroes politically or otherwise. Nobody knows yet—the Meridian Republican certainly don't know—what Print Matthews suffered the extreme for. That resolution is the plain, palpable admission of what for. It was not because he was voting the

Republican ticket, nor that in a fair and honorable way he had persuaded negroes to do it. No, it was not for that. It was not on account of politics in any way. He had organized the negroes in a frenzied spirit of hate to antagonize the white people that made him a perpetual danger to the white people. He had put himself outside the protection of the civilized white men of Copiah, and made it a virtue for any one of them to slay him, for the benefit of the community. The slaying of such a man under such circumstances is not murder; however it may appear technically, it is justifiable homicide.

Q. You say the Brookhaven Leader is a Democratic paper?—A. Yes, sir.

Mr. FRYE. Under date of December 13, 1883, I find the following:

The killing of Matthews was bad enough; the passage of the now famous Copiah resolutions against his family was much worse; but the appointment of Wheeler as marshal of Hazlehurst, as a peace officer, before he had passed through even the formality of a trial—well, that caps the climax.

I think so myself; but that need not be taken down.

Mr. SAULSBURY. I think it had better be taken down.

Mr. FRYE. I have no objection to having it put down there. You will hear it again in much stronger language before the Senate adjourns. I have here the Copiah Signal of October 18, 1883. [To the witness.] This is a Democratic paper; Mr. Meade's paper?

The WITNESS. Yes, sir.

Mr. FRYE. I will read this extract—

Accompanying the resolutions adopted by the Forest Hill Club was a note which says: "We are having a gay time of it down here, and if there is a Radical in this neck of the woods we don't know where to find him."

In another item it says:

The Independents out in beat three imagine they are entitled to full possession of affairs in that locality, but they are laboring under a grave mistake. The Democrats are not going to be ruled or dictated to by them any longer. The negroes had as well understand this now. If they will not vote with the Democrats it would be best for them and the county that they refuse to participate in the election. The weather might be warm that day, and they might possibly get sun struck.

The resolution referred to is as follows:

FOREST HILL CLUB.

Resolutions adopted on the 13th of October.

Resolved, That since we regard the Copiahian, a paper published by J. F. Vance, as an enemy to the welfare of the Democratic party, that all members of this club taking said paper stop their subscriptions to said paper after this meeting.

Resolved, That the name of every member of this club voting a folded ticket be published in the Copiah Signal after the election in November.

The next meeting of the club will be held on the 3d day of November.

B. F. CATCHINGS,
President.

R. M. KYLE,
Secretary.

Resolved, That Brown Store Club endorse the action of Crystal Springs Club, withdrawing all subscription and advertising patronage from the Copiahian.

R. K. McMANUS,
Chairman.

D. J. MARTIN,
Secretary.

and a large number of others, which I will not read.

The Copiah Signal of September 14, 1883, contains this article, which is headed "A Correction."

A CORRECTION.

In the last issue of the Brandon Republican appears quite a sensation article under the caption "Hell broke loose in Copiah." That article overdraws the picture

very much, and we wish to make the proper correction. In the speech referred to J. P. Matthews did not advise the negroes to bring their guns, pistols, etc., to the next meeting. The shooting of Burnet is in no way referable to Matthews' speech, and had no connection with politics, nor did the difficulty between Wheeler and Mincher. Our people have been in a state of considerable excitement owing to the fact that the air has been full of rumors of all sorts, whether founded in fact or not, we could not tell, but they thought it well to be on the alert, and so they have been.

Among the items contained in the paper I find this:

A canvass such as '75 will clean 'em out.

Also this:

OUTSPOKEN.

Elsewhere may be seen the resolution of the Forest Hill Club, to which we invite attention. We congratulate it on its firmness and candor, and would like to see other clubs in the county speak out in equally bold and unmistakable terms. There is no use in being too modest about a thing, especially in dealing with such political enemies as we have to contend with in our midst.

Here is the Weekly Copiahian of September 15, 1883. [To the witness.] That is the one you say which has been the old Democratic paper, and was conservative?—A. Yes, sir.

Q. That is to say, it was Democratic?—A. It published all sides, as a matter of news, but I understood it to be supporting the Democratic ticket.

Mr. FRYE. I desire to put in there, Mr. Chairman, a letter written by J. P. Matthews, September 12, 1883, and published in this paper, directed to the editors of the Copiahian, in response to a charge that he had talked and made incendiary speeches. I desire to put it in without reading it:

Editors of the Copiahan:

In the Copiah Signal of August 31st, ultimo, I noticed an editorial commenting upon what the editor of that paper was pleased to term a talk made by myself in Hazlehurst on the 25th of the same month, which editorial, I desire, through the influence of your columns, briefly to review.

The Signal correctly says that the meeting referred to "was composed almost entirely of negroes." But I would simply ask if they, too, are not voters and tax-payers, and therefore entitled to all the rights, privileges, and immunities of American citizens; or at least as much so as the colored people in our sister county, Hinds, with whom the Bourbons of that county have so recently fused, and promised them fair elections and but a meager portion of the spoils, and all for the glorious privilege of affiliating and associating with them politically (if nothing more) from this until the election in November next? Will the Signal please answer? Will he also tell when the negro is to be appreciated in Copiah, as he now is in Hinds? In other words, will the Signal tell its readers and the world how many more political decades are to roll by before his party will harmonize upon the great question of fusion?

The Signal, in the editorial referred to, either intentionally or unwittingly, grossly misrepresented my statement or assertion on that occasion.

I did say then, and now repeat, that the Merchants' and Planters' Bank at Hazlehurst was chartered by a Democratic legislature, under the provision in the Democratic code of 1880, which exempted said bank from the payment of any county taxes whatever on $15,000 of their capital stock. From this law it will be seen that this bank pays only a privilege tax to the State of $200, which amounts to only $13 on the $1,000, while every other citizen of the town enjoying any one of the privileges enumerated by the revenue act of 1880 pays $16 on the $1,000, and a citizen living outside the corporation pays $15 on the $1,000.

Instance, T. E. Millsaps, engaged in the mercantile business at Pine Ridge, pays for 1882 as follows, to wit:

State tax	$2 50
County, general	2 75
Deficit, school	1 75
School	5 00
Privilege	3 00
Total	15 00

Thus it will be seen that any one outside the corporation, doing a privileged business of any kind, pays $2 more than the M. & P.'s bank, which, I assert, is not in conformity with either the spirit or letter of our State or Federal constitution, and therefore ought not to be tolerated by a free people, no matter what their political creed may be. Again, it is manifestly obvious that the M. & P.'s bank pays $2 less on the $1,000 than other citizens of the county, and $5 less on all sums over $15,000, because they pay no privilege tax on any amount over and above that amount, while others pay a privilege upon all amounts they possess. Now I would ask the editor of the Signal, who seems to be the chosen oracle and mouthpiece of the court-house ring and bank, to come out openly and frankly and say whether or not his gross and absurd misrepresentations of my speech (or talk), on the occasion referred to by him, were made at random, or upon the spur of the moment, and without mature investigation and reflection; or was it wholly intentional on his part, for the purpose of doing myself injustice, and, at the same time, hoodwinking and misleading the public? Come, friend Meade, an honest confession is said to be good for the soul.

Again, the Signal says that I said that a Democratic legislature exempted the Mississippi Mills, at Wesson, from taxation for ten years, and denies the correctness of the assertion, and refers to the acts of 1872, page 65, &c. Now, I would ask the editor of the Signal, being as he is a lawyer by profession, an editor of a newspaper, and the political Moses, as it were, of the Bourbon party of Copiah, if it be possible that he is so utterly ignorant of the laws in our statute books, or was it his deliberate design to mislead the public by his wholesale and reckless assertions, wholly unsustained by the real facts in the premises, merely to shield this great monopoly from public censure and condemnation, who, as it has been stated in the newspapers, withdrew their pretended contributions to the cyclone sufferers—a corporation exempted through the grace of the Bourbon Democracy of the State of Mississippi, paying comparatively no taxes, and receiving their pro rata of the school fund from the county, money paid in as taxes by the honest yeomanry? See acts of 1882, chap. 49, p. 84, approved March 9, 1882, and enacted by a Democratic legislature, exempting the Mississippi Mills for ten years. See, also, the land assessment of our county for 1883, now on file in chancery clerk's office, upon which it appears that the taxable land belonging to said mills are valued at $10,410. See, also, personal roll for same year, which shows only $1,050 personal property taxable and belonging to said mills, thus making the total valuation of their taxable property, real and personal, only $11,460, while twelve months ago, under the original act of 1872, they claimed $34,400 employed in manufacturing, and theretofore exempt from taxation under said act of 1872, which said last-mentioned act has long since expired by limitation. And yet said mills, on the personal assessment roll of 1883, now claim that same amount exempt under the Democratic law of 1882, and only pay taxes upon the pitiful sum of $11,460, as before stated. Now, will the editor of the Signal examine the laws to which I have referred, and also the assessment rolls, carefully and impartially, and then, as an honest journalist, inform the people who has been guilty of making "wholesale and reckless assertions"?

Again, it has been circulated throughout the county that I have been making incendiary speeches; and that I have sent out to the colored people to come to town armed, &c. This I here denounce as basely false, and without the slightest foundation in truth.

It is true that I have always arraigned the Bourbon Democracy for their shortcomings and "crookedness" whenever occasion offers, and still expect to do so in future. I have also arraigned our Bourbon county officials for their various derelictions in office, believing that it was not only my privilege but my duty to do so in the interest of my fellow citizens. That there has been either carelessness or negligence in the registration of voters in our county cannot be successfully denied; yet I do not charge our circuit clerk with any improper or sinister motive in this particular connection. In respect to the duties of the circuit clerk as register of voters—see section 112, Code of 1880—which says "that at the time of entering the name of any person on the register of electors in any election district the clerk of the circuit court shall enter such name in its order on the alphabetical list of voters in such election district so as to preserve the list of all qualified electors in such district in their alphabetical order for convenience and reference."

Now all I ask is that the people examine this law for themselves, and then say whether or not it has been complied with, considering the great number of voters at the different precincts in our county who were deprived of the privilege of voting on account of their names having been left off of the poll-books.

I have also charged the tax collector of our county with failing to give and preserve such tax receipts as prescribed by law (see sec. 516, Code of 1880) which requires date, number, name of tax-payer, property on which taxes are paid, amount of real and personal (separate) and precinct at the head of receipt, distinctly specifying land as described on assessment roll, and any receipt not as above shall be void as

evidence that said taxes had been paid. So if a tax payer's land is sold for taxes and his receipt does not come up to the above requirements, it would not be admissible as evidence. I have now in my possession and have exhibited on former occasions a number of tax receipts which are palpably in non-conformity with the law as above cited.

Some without number, some without amount of assessment, and all without rate per cent., and some duplicate receipts showing that the same parties had paid twice for the same year, while in almost every instance more taxes were charged and collected than were due under the law.

Now I ask the people not to take my word for it, but to examine the law for themselves. Also to examine their own tax receipts at home, and I venture the assertion, that they will find at least a great number of them the same as those I have referred to.

For no greater crime than making such charges as the above, none of which have been successfully refuted, neither can they be, I have been accused of making incendiary speeches, and the editor of the Meteor, a Democratic paper, published in this county, after a thorough and critical diagnosis, has prescribed "lead," which (I interpret to mean murder) as the "only counter-irritant." Now, in conclusion, all I desire to know, is whether or not the fair-minded Christian people of our county propose by their silence to indorse the suggestions of the Meteor.

Respectfully,

J. P. MATTHEWS.

HAZLEHURST, September 12, 1883.

Mr. FRYE. I desire to put in here from the Copiah Signal, as a statement of the paper, this:

The chairman of the Democratic executive committee will be absent next week and during his absence G. S. Dodds will act in his stead, to whom all matters relating to the canvass should be referred.

I suppose that is the Mr. Dodds who is here present. That is in the paper dated October 11, 1883. Also an item below:

Give it to 'em, boys, like they got it in 1875. That's the way to win.

In the Copiah Signal of August 24 is the following item:

A canvass like 1875 brought forth splended results in Copiah County. Let's have the same kind of a canvass this fall.

Here is an address issued by J. L. Meade, chairman of the executive committee, to the voters of Copiah County. I desire to read an extract:

Since the overthrow of our enemies they have never ceased to chafe under their defeat, and have been year by year gathering together the scattered fragments of their political machinery to make one more desperate assault upon the Democratic ranks in the hope of reinstating themselves in place and power. To accomplish their purpose they have allied themselves with any and every party or faction of any political creed, or without any at all, until now they stand before the country bereft of all platforms, principles, and doctrines, save what is contained in these three words, "Opposition to Democracy." Their purpose in this is clear. The Democracy is in power; they want to get into power, hence they oppose "Democracy."

In Copiah County it must be admitted they have made some gains, having now control of the treasurer's office and the board of supervisors, and these have certainly not been managed to the best interests of the county.

Also the following: "The opposition ticket." I will only read what is said in opposition:

L. H. Matthews, candidate for sheriff. He is the only Republican on the ticket, and is the representative of the old Matthews regime that lorded it over the people until the revolution of 1875 hurled them from place and power. His name alone is sufficient to damn him politically with the people of this county, for if there is one name more detestable and abhorrent than another to a Copiah Democrat, that name is Matthews.

From the Copiah Signal, September 7, 1883:

1883 can be made as good as 1875.

Again:

In 1875 it was accomplished by organization and by every man doing his duty.

By Mr. FRYE:

Q. The Meteor, you said, I think, was a Democratic paper?—A. Yes, sir.

Q. Published at Crystal Springs, Copiah County?—A. Yes, sir.

Mr. FRYE. I read the following from that paper:

Remember, remember '65 and '76, ye white men of Copiah. Go in to win. Rouse up and shake the lethargy from your limbs.

Another:

Don't lay the flattering unction to your soul that the negroes are divided. They will march in solid phalanx to the polls, and don't you forget it.

Again:

Where are we drifting, if not to degradation, infamy, and ruin. Rouse ye, men of Copiah, and put on the earnest look that betokened victory in '75.

Again:

Matthews made an incendiary talk in Hazlehurst last Saturday. We invite him up here to repeat it.

Again:

Incendiary speeches have but one counter-irritant—lead.

Mr. FRYE. I desire to put in the speech of Mr. Matthews, made on Saturday, which has been alluded to as an incendary speech, reported in the Democratic paper, the Weekly Copiahian, without reading it.

J. P. MATTHEWS TANGLES IN AND MAKES A SPEECH.

Mr. Matthews commenced his address with the regrets that he didn't have "'a throat of brass and a tongue of steel,' that he might be able to picture to his hearers the great crimes with which the Democratic party stands charged." He told his hearers, "I am a better man than George Washington, because he couldn't tell a lie. I can, but won't." He commented on J. L. Meade's address—that part referring to 1875, and that the county was out of debt when the present board went in. As to 1875 he said, "If the Democrats can go back to 1875, then what is to prevent me from going back to the black legislature of 1865, which enacted laws that were a disgrace to a civilized people? But then I refrain from this, as to mention their present crimes and robbery of the people will consume all of my time, without reference to the past." He said, "I, with other merchants, by the aid of Democratic legislation, have plundered the people of millions. I don't censure the merchants, but I do censure the Democrats who have permitted a statute to remain in existence which would deprive the fond wife and the dear little ones of a home—a shelter—yea, of even bread with which to satiate their hunger. Yet the Democrats—the professed, and I must say only professed, friends of the people—have suffered this tyrannical and uncivil agricultural lien law to remain on the statutes of the State. There are those, within the sound of my voice, who have paid for property as much as three times; then, for the small sum of $5, or $10, have had that property swept from them by this nefarious and barbarous legislation. The law would be a disgrace to uncivilized Mexico." That the county was out of debt; he called on Colonel Meade if he did not know it to be a fact the county owed over $4,000 when present board went in; and, if he denied it, he would produce the record. He stood ready to prove that four years ago the county was about $12,000 behind; that to-day, with a reduction in taxes from $15 to $12.50 on the thousand, the debt would not exceed $8,000.

He read a secret circular from the banks, urging all bankers to look after and control their members of Congress in the interest of monopolies, and for the oppression and plunder of the people. This circular urged bankers to the importance of controlling and shaping the course of papers. That the Democratic nominees, E. W. Brown, G. F. Wolfe, A. B. Guynes, E. A. Rowan, T. J. Hargrave, Bob Miller, R. W. Millsaps, candidates; Hartwell Cook, merchant; J. W. Bailey, lawyer; with one I. N. Ellis, banker, who furnished the money, had bought the Signal, in compliance with this circular. That the Copiahan, a paper run in the interest of the great masses of the people, a paper which lent its whole energy in the past for good government, had been abandoned by the court-house ring because the editor is too honest to sell out the interest of the hard fisted yeomanry to banks, corporations, and rings. Who led you in the past to victory? This paper you are now trying to crush. Oh, justice

hast thou fled to brutish beasts, when men are so ungrateful. This paper is to-day, as it was in 1875, in the interest of the toiling millions, and this is why Mr. Ellis and the officers could not take much stock, because they want to foster monopolies at the expense of the people.

The Merchants' and Planters' Bank, not much planter in it, however, was chartered by a Democratic legislature, with the privilege of charging 15 per cent. or rather discount all loans at 15 per cent., which is equal to about 24 per cent. interest. Yet, strange to say, with this privilege of plundering the people, this institution does not pay one cent of tax on the capital invested for the support of the county government. That the Democracy had taken from the taxpayers, the yeomanry, $800,000 and given it to the Mobile and Ohio, Mississippi and Tennessee Railroads. Farther than this, the greater part of this $800,000 was school fund, therefore they had absolutely stolen from the children their educational fund to enrich railroads.

Not satisfied with stealing for these railroad corporations nearly a million dollars, they go farther, and even exempt them from paying any tax for the support of the government. The last legislature chartered about sixteen railroad companies, representing about $80,000,000, or about two-thirds of the taxable property of the State.

These roads, with one exception, were exempted from taxation for twenty years; estimating the State tax at 5½ mills, and we have the snug sum of $440,000 annually, or $8,800,000 for the twenty years, given to these soulless corporations. Only to think Democrats give to these corporations annually more than the assessed value of the taxable property of Copiah County.

Yet they say, "we are the friends of the people:" then, if these be our friends, God deliver us to our enemies. Tell me you are the friends of the people, when you are running your tarred arms into their pockets and robbing them by the wholesale. That in this county the Democrats had given the Mississippi Mills $40,000 taxes due the county for which the county had judgment. That this soulless corporation, notwithstanding Copiah had given it so much, the suffering cries of humanity had no effect on it, only to harden the heart of the proprietors, to that extent, to charge for the cotton which was used to dress the bruised and lacerated wounds of those who were the victims of the terrible cyclone (cited Brookhaven Leader). That the sheriffs of this county had collected taxes contrary to law. They had demanded and collected $2.10 poll-tax, when they should have collected only $1 up to 1882. This money was collected contrary to law, and the greater part of it has never reached the county treasurer. The law required duplicate receipts with their number, and the same to be entered in the cash-book. Here he exhibited several receipts, and defied the sheriff to say he had the duplicate in his office, or assert the same to be entered on the cash-book, as he would produce the record and show to the contrary.

While on this he compared the two tickets, and conspicuous among these was the comparison of W. L. Haley and R. W. Millsaps, candidates for treasurer. W. L. Haley is one of nature's noblemen. He is, in the language of Pope, "An honest man, the noblest work of God." He has sacrificed no principle. We expect him to vote the Democratic ticket, as he is pledged, and he has the honor to do it. This is a case where the office has sought the man, a Cincinnatus, and we expect to elect him. There are those who, for the purpose of slandering this pure, honest, good man, as I believe, have circulated the vile slander that I hired him to run, &c. To all such I have this to say: They are either ignorant or engaged in circulating a malicious lie. I have never addressed Mr. Haley on the subject. Mr. Haley is not rich in this world's goods, but is honest and thoroughly qualified to fill the position; and if we are disposed to elect him, with all the facts before us, it is our business, and why should you Democrats snarl and make wry faces? Isn't he honest? Isn't he qualified? Certainly; but you are afraid he will be elected, and my cousin, R. W. Millsaps, will be defeated. In other words, you are opposed to any man who would take an office except it be given him by the court-house ring.

In other words, the man is no man when he consents to receive the votes of Republicans openly, yet your Democratic candidates will take the darkey around the corner and pat him on the shoulder, and, I understand, some of you have been attending the colored protracted meeting, a thing which, should I do, or any other man on the opposition ticket, would be considered by you Simon-pure Democrats as unpardonable, and every little newspaper in the country would hurl it in our face: "You are for negro rule," &c.; said we lost many votes last election by failure of clerk to transcribe names on the poll-books. He closed his remarks by urging all to work for good government, a free Government, and, above all, the purity of the ballot-box, as without this there is no guarantee of freedom, the protection of property, and the pursuit of happiness.

Mr. SAULSBURY. Who reported that speech?

Mr. FRYE. I do not know.

Mr. SAULSBURY. Do you know whether it was reported by Mr. Burnet from memory?

Mr. FRYE. I do not.

Mr. SAULSBURY. That is my information.

Mr. CAMERON. Do you know whether Mr. Meade's paper stated that it was not correctly reported, or any other Democratic paper so stated?

Mr. FRYE. I do not know. The Saturday's speech has been referred to as incendiary, and I had a large lot of these papers sent down, and I ran over them and I discovered this Saturday's speech.

By Mr. JONAS:

Q. Where did you reside in 1875?—A. In Jackson; that is to say, it is about three miles north of that.

Q. Were you editing a newspaper at that time?—A. No, sir; in 1875 I was farming.

Q. Did you take any part in that canvass?—A. Very little.

Q. What were your politics at that time?—A. Democratic; that is to say, I was voting the Democratic ticket; I was voting the ticket and supporting it cordially.

Q. You found no fault with the methods employed in that campaign so far as you knew?—A. I do not propose to criticise the methods of 1875 at all; neither then nor now.

Q. And you supported the ticket cordially, and you have no criticisms to make now of that campaign?—A. No, sir.

Q. Therefore, when this paper, which has been read, recommended the people of Copiah to remember 1875, and to do as well as 1875, you were not disposed to criticise those utterances?—A. I am not criticising them. I know what they refer to, as a matter of course.

Q. What are your politics now?—A. I am chairman of the State executive committee of the Independent party.

Q. You have never been a Republican, have you?—A. I never have.

Q. How long is it since you quit the Democratic party?—A. I voted the last Democratic ticket in 1877 from top to bottom.

Q. Then you joined the Independent party in 1879, was it, or 1881?

The WITNESS. When was the next election?

Mr. JONAS. The next election was in 1878.

A. I should have voted an opposition ticket that year, but we had the yellow fever, and were more engaged in nursing the sick and burying the dead than in anything else in that part of the State.

Q. Do you hold any Federal office?—A. Yes, sir; I am receiver of public moneys.

Q. When were you appointed?—A. My bond dates from April of last year.

Q. Were you appointed in the place of some officer who was removed?—A. Yes, sir; I was.

Q. Who was removed?—A. Mr. Kimball.

Q. What were his politics?—A. That is a very difficult matter to say.

Q. Was he not a Republican?—A. I doubt it very much.

Q. Did he not claim to be?—A. I believe he claimed to be a Republican.

Q. Had he not been voting a Republican ticket and acting with the Republican party previous to that time?—A. I have always thought that Mr. Kimball's policy was like that of a good many others, pretending to be a Republican to build up the Democratic party and sustain it in the State. That is my opinion.

Q. Was it not rather his policy, like a good many others, to pretend to be a Republican in order to hold office under a Republican administration?—A. That may have been it.

Q. He acted with the Republican party, however. What is his politics now?—A. I do not pretend to say. He was elected on the Democratic ticket for magistrate last year, and you can draw your own conclusions.

Q. It was a Fusion ticket, was it not, in the county of Hinds?—A. In the county of Hinds, at the last election they had, there was a Democratic ticket. There was a union between Democrats and a few colored leaders who called themselves Republicans. The great mass of the Republican party did not support that ticket.

Q. Were not those leaders Republicans; had they not been leading Republicans?—A. Yes, sir; they had been leading Republicans.

Q. Had not Mr. Kimball also been a Republican before he made that fusion?—A. He claims to have been, I believe.

Q. By whom were you appointed; by the present administration?—A. Yes, sir.

Q. At whose instance, do you know?—A. I understood that Mr. Kimball was going to be removed for incompetency—well, going to be removed, and I was appointed; I do not know at whose instance, but I reckon General George C. McKee recommended me, so far as I know.

Q. Were you not appointed at the instance and request of General Chalmers?—A. General Chalmers was one gentleman; Judge Harvey Ware was another, and General McKee was another, and I could give you quite a list.

Q. You were appointed after General Chalmers had left the Democratic party and announced himself as an Independent candidate for Congress in Mississippi?—A. Yes, sir; as a matter of course; the date of my appointment shows that.

Q. Do you know who presented your petition and memorial to the President and asked for your appointment?—A. I do not know.

Q. Was it not sent to General Chalmers?—A. I sent no petition at all. The position was offered to me and I accepted it.

Q. Offered to you by whom?—A. Offered to me by the President of the United States when I got my notification that I was appointed.

Q. The President of the United States did not write you a letter offering you the office?—A. Of course not.

Q. Who did?—A. I received a letter from the Commissioner of the Land Department, Mr. McFarland, stating that the President of the United States had appointed me, and as soon as my bond was made up I could take possession.

Q. But previous to that, who had told you that they would get the office for you?—A. There were at the time of my appointment a number of gentlemen in Washington, General McKee, General Chalmers, and perhaps others, and I presume it was through their influence I was appointed. General McKee is a member of the national executive committee from the State.

Q. He is a Republican, is he not?—A. He is a Republican, undoubtedly.

Q. You are not a Republican?—A. To answer exactly about a man's political views, I am chairman of the State executive committee of the Independent party, as I stated, and my platform and my politics are to favor any party in the State of Mississippi, called by whatever name you please, that will bring about, in that State, a condition of affairs that we all desire to have there—peace and harmony and freedom of elections, and good government generally. I favor any party that will bring that about.

Q. In national politics what party do you belong to?—A. At the last

election I voted the Greenback ticket. This year I shall vote for the nominee of the Republican party for President, and a large number of the Independents will do the same thing. I may be mistaken in my judgment of the thing—I speak hastily—for I do not know what they may do. I am speaking only as an individual.

L. O. BRIDEWELL sworn and examined.

By Mr. FRYE:

Question. Where do you reside?—Answer. At Beauregard, Miss.

Q. Is that in Copiah County?—A. Yes, sir.

Q. What is your profession?—A. I am a lawyer.

Q. What is your politics?—A. I have not any just now.

Q. Did you vote for Lowry at the last election?—A. I did.

Q. You never have been a Republican, then?—A. I have been a Democrat all my life up to the election of 1883, in Mississippi.

Q. Were you in the Confederate army?—A. I was.

Q. In what capacity?—A. I was a staff-officer on General Hardee's staff.

Q. Were you engaged in the last canvass?—A. I was.

Q. How many speeches did you make?—A. I made nine speeches, I think, in Copiah County.

Q. Are you pretty familiar with the politics of Copiah County?—A. I think I am.

Q. Had you canvassed the county before that?—A. Half a dozen times, probably a dozen, different portions of it.

Q. Prior to the last election how did the parties numerically stand in that county?—A. The two parties in Copiah County, their relative position as to voting strength, have stood, since 1868 (well, I can say since the adoption of the constitution in 1869), about equally divided. There was very little difference as to the numerical strength of the registered vote between the two parties.

Q. What was the largest vote the Democrats ever threw in that county?—A. The Democratic party have never cast, I think, as high a vote as 2,100. I exclude last year; I do not call that an election.

Q. I say prior to that. Do you remember what Lowry's vote was in the county?—A. It was 2,047.

Q. What was King's, the Independent candidate?—A. It was 2,059.

Q. Please state whether or not, in making up that count, there was not one box thrown out.—A. Yes, sir; we had a great deal of laughter in Mississippi out of a box that a mule ate up at Mount Hope precinct. A crowd of young men, just after that, lit the candles (that is hearsay, though general hearsay) and rushed in and seized the box after all the votes had been counted, except 46 or 47, and took it out in the road, and broke it up in a kind of a spree; they did not hurt anybody.

Q. How did the votes stand as counted in that box that was thrown out?—A. To the best of my recollection it was 93 for King and 33 for Lowry.

Q. So that it was a Republican precinct?—A. It is one of the most undoubted Republican precincts in the county, and had always been.

Q. If that had been counted, King's majority would have been considerably larger?—A. Yes, sir; considerably larger; between 130 and 140 votes more. The Republican vote, I suppose, would have been 120 majority at that box; nobody ever doubted that.

Q. How is the county divided as between colored and white?—A. That was really my answer to you a few moments since, that so far as

the registered report was concerned as between white and black, the relative position of the two parties had been just about on a balance.

Q. About as many whites as blacks?—A. Yes, sir. In the registered votes during the last thirteen years sometimes there would be a white majority of 100 in registration and then it would vary back.

Q. So that it is a very close count anyway as between the parties?—A. Oh, yes, sir. Anybody who reads the papers of Mississippi knows that.

Q. Prior to this last election had there been a gain from the Democratic party?—A. Yes, sir; there has been a gain from the Democratic party through Mississippi since 1877. Some counties have become entirely Independent and do not now vote the Democratic ticket which did in 1877, or very little Democratic.

Q. How is it in Copiah County?—A. In Copiah, in 1875, there did not exceed 25 white Republicans in the county. Since that time, by the dissatisfaction of Democrats and the action of the legislature in many other instances, there has been an accession, in my judgment, of at least 600.

Q. Of white men from the Democratic party?—A. Yes, sir; men who are opposed to what they they term the ring party in the county.

Q. And were those men to vote this time, as your canvass showed, the Independent ticket this last election?—A. Oh, very enthusiastically so.

Q. What majority did your canvass show that you would receive at the last election?

The WITNESS. Do you mean during my canvass in making those speeches?

Mr. FRYE. Yes.

A. Well, not wishing to be a over sanguine, I did not estimate our majority as much as the great majority of those acquainted with the Independents did. I thought, and said so to gentlemen on the executive Independent committee of the county, that my impression was that Leon Matthews would be defeated for sheriff even on a fair election, and I thought possibly Hargrave would be elected. I also gave it as my opinion that E. W. Brown, who was a Democratic candidate for circuit clerk, would be elected. He is a very popular and good man. I felt very well satisfied that the other ticket, however, would be elected if we had a peaceable, fair election.

Q. By how much majority?—A. My estimate put it at 150 at the lowest.

Q. What was the actual vote in Copiah County, as counted?—A. Oh, as, counted! Well, the Democratic average was 2,900 and the Independent was 875—I believe 875 was about the highest vote. Mr. Brown received, I believe, 300 votes. That is my recollection. The average was 2,900 on the Democratic ticket, as counted.

Q. Do you know A. W. Burnet?—A. Yes, sir; I have been acquainted with him since 1879. I have known of his family, though, all my life.

Q. How much have you known of him since 1879?—A. For the past two years I have met him frequently in Hazlehurst. He is a lawyer, and was practicing at the Hazlehurst bar, where I also practiced.

Q. You met him politically, and in the canvasses, and all that sort of thing?—A. Yes, sir. He was a member of the Independent executive committee this year. I had seen him in the canvass in 1881, when Governor Lowry was elected.

Q. What kind of a man is he?—A. He is like all young men, he is very impulsive; but I never saw anything wrong about him.

Q. Did you know that he had a reputation for want of veracity?—A. I never heard it until I saw it published in these proceedings.

Q. What did you regard his character to be?—A. I regarded him as a young man who was striving to make his way in the world, and trying to make a reputation.

By the CHAIRMAN:

Q. Was his character a good or bad one in the community, should you say?—A. A good character. I saw nothing to the contrary.

By Mr. FRYE:

Q. Nor heard anything before this time to the contrary?—A. No, sir. He was pretty severely denounced politically, but that I never noticed. George Washington was very severely denounced politically.

Q. Do you remember his running on a ticket in a canvass in which you took part, and do you remember that his opponent for the senate lived at Port Gibson; and do you remember how they came out in Port Gibson itself?—A. Mr. Burnet carried the precinct. Mr. Martin is my intimate friend and resides there, but Mr. Burnet carried the precinct.

Q. Did he run ahead of his ticket?—A. I cannot say; I do not remember.

Q. That was the home of his competitor, I understand you?—A. Yes, sir; of Mr. Martin. He is the present senator from the district.

Q. Did he run ahead of the ticket in Port Gibson 50 votes?—A. As to his running ahead of the general ticket I do not know. I simply remarked as to his opponent, that he had a larger vote than the Democratic ticket, which astonished me very much. That is my native place, and I knew the people well.

Q. What kind of a family is Mr. Burnet's family?—A. I have known his relatives in Claiborne County from early childhood, and all his family, his own father's acquaintances, but I have only known him during the last few years. But his relatives in Claiborne County belonged to one of the oldest and most respectable families in Mississippi. It is a territorial family.

Q. That is, it goes back to the early days?—A. Yes, sir.

Q. Was not one of his ancestors in the convention which framed the constitution of the State?—A. Yes, sir.

Q. Have they held distinguished position, and is it a family of integrity as a rule?—A. I never heard it doubted. As to the Claiborne County Burnets, their integrity is above the impeachment of any man.

Q. This ticket which was run in Copiah County did not have any black men on it, did it, the Independent ticket?—A. No, sir; I believe there was a little fellow that bobbed up in beat 4 for supervisor and he would not come down. Nobody expected him to be elected, though.

Q. What kind of a ticket was it; respectable in its character?—A. Yes, sir; they were natives of the county.

Q. All of them were natives of the county?—A. Yes, sir; our candidate for treasurer had been before the Democratic convention and had not been nominated. He belonged to one of the oldest families in Mississippi, the Haleys, and he accepted the nomination of the Independent party.

Q. Did you know Print Matthews?—A. Yes, sir; up to 1875 I knew him intimately.

Q. What kind of a man was he?—A. So much has been said about Mr. Matthews that I hardly know what to say; but I have my opinion, and I think I can express his character in three words: he was a man who had the courage of his convictions.

Q. Honest so far as you knew?—A. Perfectly so.

Q. Did you ever hear his integrity called in question?—A. No, sir.

Q. Was he generous and manly and charitable?—A. He was a very generous man; that is, so far as my personal knowledge goes; it is only from what others have told me, white men. White men have told me that they would have been ruined if it had not been for the financial assistance of Mr. Matthews, while they were Democrats and he was a Republican.

By the CHAIRMAN:

Q. Please answer the other part of Mr. Frye's question. Did he possess those qualities which are described by the word manly?—A. Yes, sir; beyond contradiction.

By Mr. FRYE:

Q. Do you know anything about what has been called here the Matthews' defalcation?—A. No, sir; only as a lawyer incidentally in the courts. I had nothing to do with the case. I would pick up what I would hear about it.

Q. Has there been any time when Mr. Matthews had not ample property to respond to any demand of the county?—A. Never, I think.

Q. Was he a man who paid his debts?—A. So I understand.

Q. And had large property in his hands?—A. Yes, sir; so I understand.

Q. You do not know about the offset?—A. I only know this fact—I heard him state it himself—that he did not intend to pay until he tried every resource to have a certain offset, I think it was jail fees, allowed him, which he proclaimed in very vigorous terms as an attempt to keep him from his rights.

Q. So that he withheld it in order to offset his jail fees?—A. Yes, sir. Well, he spoke of it everywhere, and he spoke in pretty rough terms sometimes about his offset, his jail fees. I have heard him frequently.

Q. Do you know whether after that was determined he did pay promptly?—A. When the case was decided in the supreme court (I think it was reported in 53d Mississippi Reports), after that I never heard anything more of it. I suppose he settled with the collector at once.

Q. Do you know whether under your law there was a question as to his right to offset a claim against the county as against one by the county?—A. It was a disputed question. Under our general law a defaulter can be paid nothing until he settles.

Q. Settles in full?—A. Yes, sir; a man who owes the county, and any man who is a defaulter cannot be elected until he settles.

Q. According to the statment made, Mr. Matthews was owing the county $1,200 when he went out of office. As you understand the law, if he had a claim against the county, he could not enforce that claim until he had paid the county in full, notwithstanding the fact that the claim against the county was larger than the county's claim against him?—A. Yes, sir; under our law he has a right to sue the county and present his application before the board of supervisors, and if they refuse, then he appeals to the circuit court, which tries his right.

Q. Was there not about that time a suit already going on—something which was supposed to have changed that law?—A. I heard it remarked, but I do not know anything about it.

Q. What was that called?—A. I made no examination of it.

Q. There was a legal question about it?—A. Yes, sir; there was a

legal question involved. He had good attorneys. I think Mr. Miller was one of his attorneys, and he is one of our best young lawyers. I think it was Miller and Harris who took his case to the supreme court, and probably Judge Harris argued the case before the supreme court.

Q. Do you know whether the supreme court decided against him, and if so, was it on the ground that he could not bring a suit against the county until he had first paid the county in full?—A. The decision is short and I have passed it a hundred times in looking at reports, but I never have read it, I am sorry to say.

By Mr. SAULSBURY:

Q. You gave an estimate of the relative strength of parties in your county, in which you say your estimate was that Hargrave would have been elected by a fair vote and election at the last election?—A. Yes, sir. I never heard a word said against Leon Matthews in my life; his character has always stood high; he is very popular; but then his being a brother of Print Matthews, my impression is there were a great many white men who had allied themselves with the Independent party who would not vote for Leon Matthews.

Q. Your estimate was that Hargrave and also the Democratic clerk of the court would be elected?—A. Yes, sir; by a few votes.

Q. In your estimate did you take the hundreds of votes testified to by a negro man that he knew would have voted the Democratic ticket?—A. I do not care how many men have testified to it, that is not the fact. There is no hundred colored men who would have voted the ticket.

Q. But did you take that into consideration in making your estimate?—A. No, sir; I did not.

Q. Did you take into consideration the fact that there was a Democratic negro club in another direction in the county?—A. I never heard of it.

Q. In making your estimate you allowed that all the colored people would vote the Republican or Independent ticket?—A. No, sir. In making my estimate, which I exhibited to half a dozen gentlemen, I put even the white Independent vote down at 500, which is certainly 100 less than it was, and I put the colored vote at what I thought would go to the polls, a certain amount at each precinct. I have been round through all these precincts and I never saw more unanimity among the colored people to vote the Independent ticket.

Q. Did you not include all the colored people as voters for the Independent ticket?—A. My estimate did not include all the registered or colored voters in the county, nor all the white Independents, as I conceived them to be.

Q. In giving your testimony in reference to Mr. Burnet, I understood you to say that you had known him since 1879?—A. Yes, sir; personally.

Q. Do you profess to be acquainted with the general reputation of that gentleman in Copiah County and in Hazlehurst; I am not talking of your own estimate of his character, but whether you are acquainted with the general character and reputation of that man in the community generally, at Hazlehurst?—A. Legally speaking, then, I can only say that I do not reside in his neighborhood.

Q. You are not therefore acquainted with the general reputation of that man in the community in which he resides.

The WITNESS. For truth or veracity?

Mr. SAULSBURY. Yes; for truth or veracity.

A. Yes, sir; I think I am.

Q. How did you acquire that knowledge, if you do not reside in the neighborhood?—A. I acquired that knowledge by never hearing it impeached.

Q. Have you ever inquired what his reputation was in that neighborhood at all?—A. I never have.

By Mr. CAMERON:

Q. If there had been a free and fair election in Copiah County last fall, how many colored men, in your opinion, would have voted the Democratic ticket.—A. I do not think they would have exceeded fifty or sixty in the county. There was a strong effort made by a fellow named Johnson, who was in the employ of the committee. I suppose that was legitimate; he made various efforts to organize them in the county, and he failed utterly.

Q. He is the colored man to whom Senator Saulsbury referred as having testified to the great number of colored men who did or would have voted the Democratic ticket?—A. I could answer as to his truth and veracity and general character very particularly if I had a trial in the courts.

The CHAIRMAN. That is not necessary. He testified that, being a Democrat, he proposed to vote as a Democrat, and also to act as Republican inspector at that election.

By Mr. JONAS:

Q. Did you take part in the election of 1875?—A. I did.

Q. Did you take an active part in the canvass?—A. I did.

Q. Was the election of 1875 a quiet and peaceable one in the county of Copiah?—A. Will you let me give you my opinion of that, Senator Jonas?

Q. Certainly.—A. There is a grand difference between moral force and violence, in my judgment, in politics. We carried the election, and with my concurrence, in 1875, because it was a revolution.

Q. The only reason I asked the question is, because many extracts from the Signal have been introduced, asking people to do as they did in 1875. Have you any complaint to make of the election of 1875?—A. No, sir; I believe I would join it again to get rid of the same element that was in Mississippi at that time—the carpet-bag element. But this is a very different thing.

Q. I speak of 1875. You know nothing now that was done that was unjustifiable or improper?—A. No, sir; we made a good deal of noise, and did a good deal of shouting, but we did not hurt anybody, not in Copiah County.

By Mr. FRYE:

Q. You say you made a good deal of noise?—A. Oh, yes, sir; we did a good deal of shouting, but shot less of powder off.

Q. What you undertook to do in 1875 was, by demonstration to compel the negroes to keep away from the polls or else vote with you?—A. Well, yes, sir; I think truth must compel me to say that that was so.

Mr. FRYE. I want to put in another article that I ommitted putting in before. It is from the Copiah Signal of July 6, 1883. It is as follows:

THE DUTY OF THE DEMOCRATS.

We are just entering upon a most extraordinary canvass, one in which the vital interests of the white population are concerned, and we desire as the exponent of the Democracy to tell them that they are now called upon to assert their manhood. The question has narrowed itself down to this: Shall the negroes, led by a few designing

whites, rule, or shall *we*, the property holders, and intellectual class, hold the reins of Government? We are very far from endeavoring to stir up a war among races; but we know that we are in duty bound to tell the people that the opposition, composed almost entirely of negroes, desire to usurp the offices, and use them to our degradation and humiliation; will we submit is the question? Do the whites propose to submit to the negroes? The opposition is composed of nine-tenths negroes, and shall the whites decide to give up to them? Never! no, never! We would like to see a friendly feeling, but if the colored voters feel disposed to antagonize our interest, we are in favor of telling them now, that we will not submit. We insist that the whites must do their duty in the primary conventions, they must come out and send delegates of their choice to the nominating convention, and should they fail to do so, they *must* vote for the nominee. We cannot afford to indulge in any personal piques that we may have we must consider the party's good, and we must work for the party. We can only judge from the past, and we all remember that every officer elected by a majority of negroes was, to say the least, objectionable, and we must determine not to permit such in the future. We must have the triumph of the white man's ticket; we would be more than pleased to see the colored men join our ranks, and should they do so, we agree to give them all the rights guaranteed them by the Constitution. We do not, however, promise them anything impossible. We do not propose for them to dictate to us, but if they are willing to aid us in securing a good government, we shall be glad to receive them. In Copiah County, however, we, the whites, are in the majority, and we must carry our points. We propose to put an unobjectionable ticket before you, and you should vote it. You will be unable to frame a good excuse for a nonappearance at the polls. You are not only privileged to vote, but it is your duty to do so, and you do not deserve to be called a white man unless you vote a white man's ticket.

Mr. SAULSBURY. Do you put in all of that article or extracts from it?

Mr. FRYE. I did not read it all, but I read straight along so far as I did read.

D. C. WRIGHT recalled.

By Mr. CAMERON:

Question. Something has been said in the course of this examination in regard to an alleged defalcation of J. P. Matthews as sheriff. Now state what you personally know, or what you can state from information, in regard to that alleged defalcation.—Answer. I think Judge Bridewell has explained it. But the way I understood it, what I do know about it, I obtained in this way. When the officer came down to our town to investigate the sheriff's books there—

Q. What officer was that?—A. It was General Adams's expert or clerk.

Q. Who was General Adams?—A. He was the State revenue agent.

Q. The State revenue agent is an officer elected or appointed by the State for the purpose of examining what?—A. Public books, officers' books, I think.

Q. Very well, go on.—A. As I stated, this clerk or expert happened to be a relative of mine and staid at my house while he was down there, and of course told me the condition that the books were in. I had also understood from Mr. Matthews, that is, he told me when this officer came down there something about it, and he said that he was always ready to settle, and when his account was allowed he was ready to pay the county, or something to that effect.

Q. What did you understand the amount of his account against the county to be?

The WITNESS. Mr. Matthews's account?

Mr. CAMERON. Yes.

The WITNESS. As I recollect, it was about $1,600.

Q. And what did you understand was the amount that the county claimed against him?—A. I think it was about $1,200. But I will

state further that Mr. Echols, I think, found that Mr. Matthews owed the county more than he supposed he did.

Q. Can you state the amount that was found due from Mr. Matthews to the county?—A. I think that the difference amounted to $700 or $800.

Q. I do not know that I understand you.—A. I think, after Mr. Matthews's claim was allowed by General Adams, that Mr. Matthews possibly owed the county a few hundred dollars which I understood he paid at once.

Q. You can state whether or not his claim against the county was allowed as you understand?—A. Mr. Echols told me that he would advise General Adams to allow it.

Q. Did you understand or not that it was allowed?—A. I understood that it was allowed.

Q. And thereupon the matter was settled and the county paid?—A. Yes, sir; it was settled up.

By the CHAIRMAN:

Q. Do you know Mr. Burnet?—A Yes, sir.

Q. What is Mr. Burnet's character, good or bad?—A. I have always considered it good.

Q. Have you ever heard anything against it other than what was called out by political excitement?—A. No, sir; not until I came here.

By Mr. SAULSBURY:

Q. You state then that Mr. Matthews was behind with the county and in default to the amount of several hundred dollars after deducting his claim against the county?—A. I heard that, sir; that the amount he owed the county was never found out until this expert came down there.

Q. And you understood that Mr. Matthews, after having his account allowed, did pay to the county seven or eight hundred dollars?—A. Yes, sir; I think so.

Q. There have been allegations that he was not a defaulter in any sense?—A. I do not think the county had ever sued him as a defaulter. He had a good bond there.

Q. But he had not paid what he owed to the county?—A. But he was willing to pay whenever the matter was adjusted, and they would let him know what he owed.

Q. I have no doubt myself that he was able and willing to do it. At the same time he had not paid, that is the point. It is entirely a matter of controversy whether he was behind with the county?—A. I do not suppose there was a man in the county who thought he was going to steal anything from the county.

By the CHAIRMAN:

Q. Do you know whether the board of supervisors had refused to allow this claim of Mr. Matthews for jail fees?—A. Yes, sir; I think so.

Q. Do you know on what grounds; do you know what their ground was?—A. It was a technical point; I do not know that I could give it.

Q. When was that; what board of supervisors was that?—A. It was the board of supervisors in office about 1876 or 1877, or along there.

By Mr. CAMERON:

Q. When did Mr. Matthews go out of office as sheriff finally?—A. He went out of office as sheriff on the 1st of January, 1876. He was beaten in the canvass of 1875.

J. M. GOFF sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. About 16 miles west of Hazlehurst.

Q. In Copiah County?—A. Yes, sir.

Q. What is your beat?—A. Beat 3.

Q. Did you hear a speech made in beat 3 by Ras. Wheeler?—A. Yes, sir.

Q. When was that?—A. On Saturday night before the election.

Q. To whom was the speech made?—A. It was made to the crowd that was with him.

Q. Where?—A. Right in front of my store door.

Q. In a street or public place? Is there a square there?—A. No, sir.

Q. In the street?—A. No, sir; it is just a country store; it was in front of the door.

Q. Was the crowd that was with him armed and mounted?—A. Yes, sir.

Q. How many of them were there?—A. I could not tell you. It was at night.

Q. Give your general idea whether it was a large or a small company.—A. It was a large company.

Q. Of mounted armed men?—A. Yes, sir.

Q. That was what night?—A. On Saturday night before the election.

Q. What did Mr. Wheeler say?—A. He made a speech to the crowd. I do not remember what the speech was that he made.

Q. Do you remember any part of it?—A. He said this was to the darkeys. I do not know whether there were any darkeys with him or not. There were a few there that when they heard them coming run off. He talked as though there were some there, but I did not see any. He told them that he was done cussing them; that the Democratic party was done cussing the darkeys to get them to vote, and was going to make them vote.

Q. Is there anything else that you remember of his speech?—A, No, sir.

Q. How was that remark received by the company that was there?—A. It seemed to please them pretty well.

Q. Did they cheer or applaud?—A. Yes, sir; there was a good deal of hollowing done.

Q. How did these men behave; what did they do when they were through?—A. I heard a man say that if he thought a certain man was in the house they would shoot the—they used pretty rough language, guage, and said they would shoot the house down.

Q. Do you know the man who said that?—A. No, sir.

Q. What man was in the house?—A. Frank Bufkin, one of the Republican supervisors; he was then a supervisor, and he was a candidate also for supervisor.

Q. How did that company conduct themselves; did they make any shooting?—A. They did not shoot any until after they left the store.

Q. Did you hear them shooting after that?—A. Yes, sir; I heard a heap of shooting.

Q. Do you know anything about any of these outrages?

The WITNESS. How do you mean?

The CHAIRMAN. Have you any personal knowledge of anybody who was injured or whose house was burned or shot into?

The WITNESS. Oh, yes, sir; I know one negro who was shot. I went

next morning to see what was done, and I found Frank Hayes and his wife; I found him shot down and his wife shot.

Q. Did you know any of the men in this crowd?—A. I heard a good many names called that night, but I do not know whether they were there or not.

Q. So far as you knew the men or heard the names, were they Democrats?—A. Yes, sir; all the names I heard were Democratic names.

Q. Did you hear them say anything about going to Frank Hayes's house before they went?—A. No, sir; I never did.

Q. What time of the night were they opposite your store?—A. It was half after 10 or 11 o'clock at night. I was closed up and was fixing to go to bed when they rode up, and there was a crowd of darkies there, and it scared them all off.

Q. Where did you vote; at what precinct?—A. At Tailholt.

Q. What happened there at the election; what did you see there?—A. I do not know; there was a good deal.

Q. Give an account of it. Was there a free and quiet election where everybody voted as they wanted to?—A. No, sir.

Q. Are you a Republican or Independent?—A. I am a Republican.

Q. Did you vote?—A. Yes, sir. I have been a Democrat, but I am not now.

Q. Tell what happened there at that election.—A. Well, there was a heap of shooting going on close to the polls, and they ran, I think, the darkies off—several of them; told them that they could not vote.

Q. You heard that, did you?—A. Yes, sir.

Q. And did those darkies go off without voting?—A. Yes, sir; they started to get their guns once to shoot them down.

Q. What did the darkies do then when the fellows started for their guns?—A. They left.

Q. Without voting?—A. Yes, sir; they all left there. There may two or three have voted.

Q. Did you hear a man who stood at the door with a double-barreled shotgun say anything?—A. Yes, sir; I saw him standing there all the time.

Q. Did he say anything about the negroes voting, or what they were going to do?—A. He said he had come there to kill the niggers and if they were going to do anything they ought to get at it.

Q. Did he say anything about seeing that they did not vote unless they voted the Democratic ticket?—A. I heard several of them tell them that.

Q. Do you know the name of this man who stood there with a shotgun?—A. His name is Allred.

Q. Is he a Democrat?—A. Yes, sir.

Q. Did Allred hold any office at that precinct?—A. No, sir.

Q. Was he not the peace officer?—A. No, sir; I do not think he was.

Q. Who was the peace officer?—A. There was no peace officer there, I think.

Q. He came to bring peace with his shotgun?—A. Yes, sir; and he kept it, on their side.

Q. Have you ever been a Republican until this election?—A. No, sir; I have always been a Democrat.

Q. What is your age?—A. I am twenty-four.

Q. And you are the storekeeper and merchant there in that neighborhood?—A. Yes, sir.

Q. I ask you as a man knowing the sentiment of the people, what was the state of mind of the colored people in that vicinity; were they

possessed by great fear and terror?—A. I think they were scared to death. I took care some nights of 15 or 20 of them in my storehouse.

Q. Do you know whether they fled from their homes with their wives and children at night and concealed themselves in the woods?—A. Yes, sir; there was not one to be found in their houses; none staid, women, children, or men.

Q. And that was growing out of the conduct of this Democratic club of which Wheeler was the commander?—A. Yes, sir; that was the cause of it; they were scared to death.

Q. Do you know whether that company had any name that they bore or called themselves by?—A. They called themselves bulldozers.

By Mr. SAULSBURY:

Q. Was not this man who stood there at the door regarded in the neighborhood as a crazy man?—A. Well, he run mighty loose for a crazy man.

Q. But did not the people so regard him?—A. I think he had very good sense.

Q. But I ask you what the neighbors said about him?—A. Some said he was crazy, and some said he was not. He talked very good sense, and he knew how to make corn and cotton, and that is a heap some people don't know how to do.

By the CHAIRMAN:

Q. He stood at the door of the polls with a shotgun?—A. Yes, sir.

Q. Didn't you see any of the white Democrats attempt to lead him away or disarm him?—A. No, sir.

Q. Is it the usual treatment of insane people in that region to let them run about the country with shotguns?—A. No, sir; they are generally taken to the asylum.

GEORGE E. MATTHEWS sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. At Hazlehurst, Copiah County.

Q. How long have you resided there?—A. I think we moved there in 1869 or 1870.

Q. Where did you reside prior to that time?—A. In the country, about 15 or 16 miles from Hazlehurst.

Q. Of what State are you a native?—A. Of Mississippi.

Q. Was J. P. Matthews your brother?—A. Yes, sir.

Q. Were you in Hazlehurst prior to the last election?—A. Yes, sir.

Q. You can go on and state what the condition of affairs was in Hazlehurst for two or three weeks prior to the last election. State it in your own way.—A. In Hazlehurst and all over the county there was a good deal of excitement, and crowds out in beat 3.

Q. State what occurred in the country or the town.—A. Out in beat 3 was where they made the principal raid. There was a mob from Hazlehurst all over the country down there—through that country whipping the negroes, killing some, and cutting up generally. I did not see any of them. I state this only from rumor.

Q. You can state from general information; the witnesses have all done that.—A. It continued that way up to the election.

Q. Who constituted this mob that you speak of? I do not ask you to give names, but were they or not white men and Democrats?—A. Yes, sir; white men and Democrats.

Q. Who commanded them as you understand?—A. Wheeler was the major. I believe they called him Major Wheeler.

Q. You can give the names of the residents of Hazlehurst whom you understand were members of or connected with that mob.—A. There was Joe Bailey, and Hans Penn, and Bob Penn, Rube Morrison and Joe Purser, and Wheeler, he was the major. There were a good many more, but I cannot call them to memory now.

Q. Give the names of any of those who resided in the country who were members of the mob, as you understand.—A. There was Bill Womack and William Millsaps and two or three of the Middletons—I do not know their first names—or at least that was the report that they belonged to it, and a great many others; most everybody in that country; Frank Davis and pretty nearly everybody in that whole country, in beat 3, according to general rumor.

Q. You do not mean Judge Millsaps?—A. No, sir.

Q. Who was sheriff of the county at that time?—A. Tom Hargrave.

Q. State whether or not you appealed to Mr. Hargrave, or to any other prominent Democrats in the town, to preserve the peace of the town.—A. I will state that on Monday this crowd came in and went down and fired the cannon, and the report came in town that they were coming to our house, to Print's, my brother's, to bulldoze the family, and I went to Dr. Oatis and asked him to go and see Mr. Hargrave and the leaders and stop it. My wife had been sick for weeks, the doctor was attending her and my brother's daughter also, and I asked him to stop it if he could, and he said he would and started up the street to see Mr. Hargrave, I suppose. I walked on up the street and met Mr. Hargrave, and told him what I had heard, and asked him to stop it, and he wheeled off and said, "Well, I am attending to that," and walked away. Pretty soon after that I went up the street to the court-house and I saw Mr. Hargrave, I think it was, and Bud Higdon and maybe A. B. Guynes; I don't know about Guynes, but three of them rode out of town to where the crowd stopped, and Hargrave was on horseback and the others in a buggy.

Q. State anything further that occurred that day.—A. Then they came on to town and had a meeting. That has all been testified to. That evening they caroused around town generally and the pistol of one of them went off and shot him, and there was a good deal of excitement about that, and then they came down in front of the store and halted, and sent young McLemore with the resolutions to my brother. As they passed the house, I was on the bridge which crosses the railroad and they passed on by and halted in front of the store, and I went down to the store from the bridge and they staid there some time while McLemore went up to the house with the resolution. I waited, and when he came back they had a talk, and Wheeler gave the order to march, and they rode off. I went to the house then and my brother told me about the resolution

Q. State what that resolution was.—A. I did not see the resolution, but he stated it was for him not to vote, but to stay inside of his own inclosure the next day, &c.; that he should not come out and vote or electioneer.

Q. Were you in Hazlehurst on the day of the election?—A. Yes, sir; I was.

Q. You can state whether or not any of this armed mob were in Hazlehurst that day.—A. The first I saw of it was this: I was postmaster at Hazlehurst, and I went down town early to distribute the mail. As I went to breakfast I saw Rube Morrison walk across from the depot to

the hotel with a gun. It was raining a little and I went on to breakfast and before I got back, I got half-way between home and the voting place, when a young man met me and told me my brother was killed. Then in the town a good many had guns all day, and for many days after, parading the streets and guarding the town, and there was a good deal of excitement.

Q. Did you see Wheeler on the day of the election?—A. Yes, sir.

Q. Where was he when you saw him?—A. On the west side of the railroad, on the corner of the railroad.

Q. Was it before or after he shot your brother?—A. It was after.

Q. State whether or not he had a gun in his hands at that time.—A. Yes, sir; he did.

Q. Who if any one, was with him?—A. His brother. I saw from the gallery of my brother's house a good many were around, and his brother, Jack Wheeler, was there amongst others.

Q. State whether any of the others were armed.—A. I think all of them were armed in that crowd. There were some men in town, though, who were not armed.

Q. I am speaking of that crowd which accompanied Wheeler?—A. Yes, sir; they were all armed.

By the CHAIRMAN:

Q. Have you received, since your brother's murder, from any of the Democrats there, any assurances of willingness on their part to bring the murderer to justice and have him punished?—A. No, sir; I have not.

Q. Nothing of the kind?—A. No, sir.

Q. Are you aware of any desire or purpose among the Democratic party in that community to have Wheeler punished for that crime?—A. No, sir; not as a mass. There may be some few men, and I suppose there are, who would like to see it done, but the majority I do not think would like to see it.

Q. Have you any idea, if he were indicted by a grand jury, that he could be convicted by a jury on which the Democrats of that county are represented?—A. Just now, I do not. Of course in time it might wear off and he might be; but I do not believe he would be now.

Q. Do you know anything about the mail being interrupted by these men?—A. Yes, sir. My brother had a mail contract from Hazlehurst to Westville, and he had a white man riding the mail.

Q. How did he carry the mail, on horseback?—A. He carried it in a sulky buggy, and he hired a negro boy to carry it three or four days until the rider came back, and Tuesday evening he came in with the mail (the mail was three times a week then) the boy came to my brother Leon and told him that they were going to kill him, and that he could not carry the mail.

Q. What made him think that?—A. My brother did not tell me why he thought so.

Q. He did not dare to go any further?—A. No, sir; he gave him his money and he left, and has not been back since.

By Mr. SAULSBURY:

Q. What time did this occurrence take place; when was it?—A. That was the day of the election that the mail-rider came into town—the darky. It was on Tuesday.

Q. You say that the white man who usually carried the mail got a negro boy to carry it?—A. No, sir; he went home and my brother got a negro to carry it.

Q. And the negro boy said they were going to kill him?—A. Yes, sir.

Q. But they did not kill him?—A. No, sir.

Q. They did not kill him up to the time that he left, did they?—A. No, sir.

Q. You do not know anything about any violence thus being offered to the boy?—A. No, sir; for I did not see him.

Q. All you have is the statement of the boy?—A. Yes, sir.

Q. How old is the boy?—A. He is not a boy; he is a grown man. The election this year was the first time he voted.

By Mr. CAMERON:

Q. Are there any persons present in this room who were in that armed mob at Hazlehurst?—A. Yes, sir; I think Mr. John Middleton, if I am not mistaken, was there. I am pretty certain that he was there.

ISAAC C. ENOCHS sworn and examined.

By Mr. CAMERON:

Question. Where do you reside?—Answer. In Copiah County.

Q. At what place, or about where, in what beat?—A. I reside in beat one, 2 miles from Gallman Station.

Q. How long have you resided there?—A. I was born in the county, thirty-two years ago.

Q. Were you a candidate for any office on the Independent ticket in Copiah County last fall?—A. I was.

Q. What office?—A. For chancery clerk.

Q. Did you take any part in the canvass prior to the election?—A. I did.

Q. You may go on and state whether or not a joint canvass was agreed upon between the two political parties, how many meetings were held, and what the character of the speeches on the part of the Independents was.—A. After the Independent ticket was nominated, Messrs. Bridewell and McNeil, the candidates for the legislature, published a list of appointments embracing a period of five weeks, one week in each supervisor's district. They invited the Democratic candidates to meet them in joint discussion, which they did. They began their joint canvass I think, about the 12th of September, and concluded it the fifth week following.

Q. Were you present at any of those joint meetings?—A. I was present at all except three, I think.

Q. How many were held?—A. I think there were about seventeen.

Q. And how many were you present at?—A. All but three.

Q. Who were the speakers at those meetings upon the part of the Independents?—A. Messrs. Bridewell and McNeil, except on one occasion, when J. P. Matthews made a speech. Judge Bridewell, however, missed several appointments on account of sickness in his family.

Q. What was the character of the speeches made by the Independent speakers at the meetings you attended?—A. The Independent speakers made conservative speeches, and advised a conservative canvass all the way through. Directly Mr. McNeil, the candidate, charged fraud upon the Democratic managers of the election two years prior to that time, in which he claimed that he was defrauded out of his seat. Judge Bridewell charged the non-compliance of the Democratic party with its pledges.

Q. What answer, if any, did the Democratic speakers make to those charges; what did they say about them, and what was the character of

their speeches?—A. In answer to Mr. McNeil's charges, they rather evaded it. They did not directly deny the charge and did not propose to meet it; they rather treated it lightly. As to the general charges made by Judge Bridewell, they admitted that they were true, but said that no political party ever complied with all its pledges.

Q. Who were the speakers on the part of the Democrats?—A. Messrs. Guynes and Rowan.

Q. You may state whether or not any independent political meetings were held in the county after the 13th of October.—A. I was not present at any public meetings after that time.

Q. Do you know whether any were held after the bulldozing commenced?—A. I do not think there were any held. The executive committee held meetings.

Q. But I mean public meetings in the country or in the town of Hazlehurst?—A. I do not know of one.

Q. About what time did the bulldozing commence?—A. About ten days before the election, according to the information I have. I believe it was generally conceded that what is known as bulldozing began in beat 3. I was at that time in another part of the county making a personal canvass.

Q. Did you make a canvass yourself?—A. I did.

Q. What was the character of the canvass you made?—A. I simply visited and went to see persons whom I thought would support me for the office I was running for. I did not make any public canvass; I made no speeches; I just went around and made a personal canvass.

Q. Did you see any persons under arms during your canvass prior to the election?—A. I did.

Q. Where did you see them?—A. Near Hazlehurst.

Q. When?—A. On the day before the election; on Monday.

Q. State what you saw there at that time.—A. I was in Hazlehurst on Monday morning, and between 10 and 11 o'clock I heard guns, in fact I had heard cannon shooting all the morning. But between 11 and 12 o'clock I heard a volley of pistols or guns, out on the edge of the town it seemed to be. I went down to the hotel, and there sat down and waited until crowds of armed men came along. They passed me and went up the street and disbanded for dinner, and remained disbanded I suppose for about an hour, until they could get themselves and their horses fed. Afterwards they carried the cannon around on what is known as Marks corner and fired it, indicating, I presume, the reorganization. After that time I left town.

Q. Why did you leave town?—A. I wanted to go home. I had no further business there.

Q. You may state whether or not you at any time were advised by Democrats to get out of the way; that you were not safe there.—A. A friend of mine came to me and asked me to leave town.

Q. On what day was that?—A. On Monday.

Q. What did he say in regard to the matter?—A. He said there was no use of my staying there, that I could not accomplish anything by remaining there; that the parties had nothing against me, and he wished me well, and he thought it would be best for me to leave.

Q. Where were you on the day of the election?—A. I went to Brown's Store precinct on the morning of the election.

Q. You may state what occurred there. You were a voter at that place, were you?—A. No, sir; I was not, at Brown's Store. I was a registered voter at Gallman precinct.

Q. State what you went there for?—A. I had been requested to go

down to Brown's Store and remain there during the day and in the evening to ascertain what the vote was, and to see it counted, if possible, and I went there in that behalf. I got there in the morning before the polls were open. After the polls were opened I found out that they had no tickets upon the ground. The party who had the tickets did not come, and a party went after him to know where his tickets were. He then came and said they had been taken from him the night before. When he told me that, I went on my horse to Crystal Springs to get more tickets. I returned in the evening about 4 o'clock, but all the colored voters had left.

Q. Did you vote yourself?—A. No, sir; I did not; I could not vote at that precinct.

By the CHAIRMAN:

Q. Why did you not vote in your own precinct?—A. Because I did not go there to vote. I could have voted there.

Q. Why did you not vote?—A. Because I wanted to go to this precinct in order to see if there was any fault.

Q. You did not stay away from your own precinct on account of fears about yourself?—A. No, sir; I did not.

By Mr. CAMERON:

Q. Do you know what the vote in the county was at the election prior to the last election?—A. The vote ran from about 2,040 to 2,100, approximately. I think the vote on which Mr. Dodds held his certificate was 2,049. Mr. Guynes had about 30 odd votes more than that.

Q. Mr. Dodds ran for the legislature, did he?—A. Yes, sir.

Q. And Mr. Guynes ran for what?—A. He was his associate.

Q. Who were the Republican or Independent candidates?—A. The candidates opposing Guynes and Dodds were McNeil and Bufkin.

Q. And what was their vote?—A. I do not remember Mr. Bufkin's vote, but McNeil's vote was 2,045 as returned.

Q. What was Dodds' vote as returned do you say?—A. Two thousand and forty-nine.

By Mr. SAULSBURY:

Q. You say that in the canvass you were a candidate for chancery clerk?—A. I was.

Q. On the Independent ticket?—A. Yes, sir.

Q. You say that in that canvass the Independent candidates made appointments for meetings and invited the opposition to joint discussions?—A. Yes, sir; they did.

Q. Did these discussions take place?—A. They did.

Q. I understood you to say there were seventeen meetings?—A. I think there were seventeen.

Q. You attended a large number of those meetings?—A. I did.

Q. You say that you electioneered privately through the county. Were you pretty much over the county?—A. I was in every district in the county.

Q. The question was asked you if you saw any armed men at any time, and you answered "on Monday preceding the election." Is that so?—A. Yes, sir; I did.

Q. You have not said that you saw any other armed men at any other time?—A. I did not.

Q. You canvassed that county in every district in the county and you saw no armed men except on the Monday preceding the election?—A. I attended the joint discussions. I just went round with the candidates.

I was not known thoroughly in the county. First I went around and saw the people, thinking I could see more of them at public speaking than to make a personal canvass. After the joint discussion was over, I went into localities where I thought I could make a few votes by personal canvass.

Q. Did anybody interfere with you on the Monday that you saw these armed men or at any other time during the canvass?—A. No, sir.

Q. You were known to be a candidate on the Independent ticket, were you not?—A. I was.

Q. Were not these men that you saw in Hazlehurst on the Monday preceding the election there in attendance on a political meeting that was to be held at which Major Barksdale was to speak?—A. I do not know that.

Q. At any rate they offered you no violence?—A. They did not.

Q. Did you see them do violence to anybody while you were there?—A. No, sir; they simply rode past me. I was sitting on the front of the hotel and they rode past me and gave me three cheers.

Q. Your reason for not voting was that you preferred being in another election precinct?—A. I did.

Q. You could have voted in your own district if you had seen proper to stay there?—A. I could at my place; my brothers and others did at that place.

By the CHAIRMAN:

Q. The candidates on the Independent ticket were all white men that year?—A. All except one, for supervisor, in beat 4.

Q. Were they men of high character and standing, so far as you know, in the community; I will not ask about yourself, as you were a candidate, but of the others?—A. Yes, sir; they were.

D. S. BURCH sworn and examined.

By Mr. SAULSBURY:

Question. Are you the superintendent of public education in Copiah County?—Answer. I am county superintendent of education.

Q. Where do you reside?—A. In Hazlehurst.

Q. Do you know anything of any negroes in Hazlehurst, or around there, belonging to a Democratic club?—A. At the organization of the Democratic club of Hazlehurst I was elected secretary, and we had enrolled on that club-roll as many as thirty or thirty-five colored men. The colored men began joining the club at the first organization of it and continued joining it at every meeting.

Q. There were then thirty or thirty-five men enrolled in the club of which you were secretary who were colored men?—A. Yes, sir; out of the number of two hundred, about thirty or thirty-five were colored men—colored voters of the county.

Q. Had you any occasion to be in beat 3 at any time preceding the election; if so, state when you were there?—A. On Friday evening before the election I had occasion to go through beat 3 into Jefferson County. I had some interests in Jefferson County which took me down about that time, and I took occasion to go Friday afternoon. I passed passed through beat 3 and came back through beat 3 on Sunday afternoon.

Q. While you were in that county on Friday or Saturday, did you see the negro population of that county, a number of them, about?—A. As I returned on Sunday, or while I was in Jefferson County on Satur-

day attending to my business in Jefferson County, which was about ten miles, probably, from the Copiah County line, the place where I stopped on Saturday, on Saturday I heard cannon-firing. There was to be speaking up in beat 3 on Sunday, and as I returned and passed through there during the forenoon of Sunday before the election, I saw the colored people going to church and going from church. In the forenoon I met them going to church. I passed the church, where there was a large number congregated, some of them singing. Those who knew me spoke to me; all who knew me spoke to me, and those whose names I could remember I called them by name and spoke to them, and there was nothing exhibited in their countenances or their actions which led me to believe there had been any commotion or confusion at any time previous.

Q. You have spoken of hearing the firing of cannon on Saturday. I want to inquire whether it is not usual, and has not been usual in your county at meetings of the parties, to fire a gun for the purpose of giving notice to persons that a meeting was to be held?—A. Yes, sir; it has been so ever since the war.

Q. Do not both parties do that sometimes?—A. Yes, sir; both parties, sometimes; whichever party happen to have a gun.

Q. They usually announce their meeting in that way?—A. Yes, sir; and sometimes, if they do not have a cannon, they would fire an anvil or anything to create a noise and let them know there was a public meeting. I never took any notice of it, only I knew there was to be a public speaking at Pleasant Hill, ten miles from where I was.

Q. You are the superintendent of education in Copiah County. I want to know if there is provision made in that county for the colored schools of that county?—A. Yes, sir; an opportunity equal to that of the whites.

Q. Are the moneys raised for educational purposes raised largely by taxation of the white people of that county?—A. Yes, sir; very largely.

Q. Do you or not say that a large proportion of the money raised and appropriated to the education of the colored people is raised upon assessments upon the property of white Democrats?—A. Yes, sir; I say so.

Q. Is the appropriation to the colored schools the same as it is to the white schools?—A. Exactly the same; there is no discrimination whatever. The law especially provides that there shall be as many schools; it simply says that the same color shall not be taught in the same schools, and no more schools than a certain number of one color in a district, but each color to have the same number of schools in any one district.

Q. The facilities for the education of the colored people in Copiah County, I understand you, are the same that they are for the white children of the county?—A. Exactly; there is no difference.

Q. And the funds raised and appropriated for educational purposes are raised from assessment upon the property of the white Democrats in that county?—A. Yes, sir.

Q. There is evidently an attempt to show that the white people of Copiah County are men destitute of the feelings of humanity, who are treating the colored people with great cruelty and unkindness. I would like to ask you what is the general character of the white men of that county; are they a peaceable and order-loving people as a general rule, so far as you know?—A. The general character of our people will compare with the character of the people in any community, politically, socially, morally, and religiously.

Q. Has it not been and is it not the desire of the large majority of the white people of that county to see an observance of law and order in the county?—A. Yes, sir. I want to say, while we are on the subject of schools, this: I heard a witness testify that the colored people, men, women, and children, were leaving the county, especially in beat 3. I think I have heard that testified to. I want to say as superintendent of education that the records in my office show that the children are attending the schools in beat 3 as they have always done, and as many in proportion to the number as from any other district in the county.

Q. It is not true, then, I understand you to say, that the colored people of that beat have run away and are neglecting the education of their children?—A. Do not understand me to say that none have gone. I say the indications, as well as I can judge, are to the contrary; that they are there and attending school. If the men and women have gone, they have left the children to go to school.

Q. Did you ever teach school yourself?—A. Yes, sir.

Q. Had you any difficulty in getting your warrants, your pay, at any time?—A. I did. And that is one thing which made me conclude that I had better not try that kind of teaching any more for which I should get my pay in warrants.

Q. Were you paid, while you were teaching, in warrants?—A. My pay was in warrants when I taught the public school. I have taught public schools at different times. I taught the county school, and I was paid in warrants. When I taught the corporation school of the separate school district at Hazlehurst I was paid by the city fund.

Q. At any time when you were paid in warrants, were you told by Mr. Matthews that if you were a Republican you could get full value for your warrants?—A. Yes, sir.

Q. Did you usually have to sell your warrants at a discount?—A. I never was told that but once, and I had completed the last month of my term, and I never took occasion to have any more warrants during that régime—that administration. I was told after having remained about town for some three or four days, trying to find what steps I had best take to get rid of my warrants, I was finally told by Mr. J. P. Matthews, who was sheriff of the county, and Mr. Harvey, the probate clerk, and another whose name I have forgotten, that if I joined the ring, declared my allegiance to the Republican party, that I would get anything I wanted, worth more than those warrants to me. I told them I was not quite that cheap.

Q. You did not propose to sell out?—A. I was not selling, then; I was not for sale at that time. I afterwards disposed of those warrants for 60 cents on a dollar. Whether there was any money to pay them I do not know. I did not know the condition of the county then. Their finances might have been good or bad. I do not know anything about the financial condition of the county at that time. I know I got about 60 cents on the dollar for my warrants, and that is all I do know. Some I got 75 cents for in trade, and that is all of my experience in warrants.

Q. Were you in Hazlehurst on the Monday preceding the election?—A. Yes, sir.

Q. Did you hear the speech of Major Barksdale?—A. I did. I heard one speech of Major Barksdale's on Monday night before the election at the court-house, which was the only speech I heard him make, I believe, during that campaign in that canvass.

Q. Did you hear Major Barksdale say, "Hang Frank Bufkin so high that the birds of prey could not reach him with their beaks," or any-

thing of that kind?—A. He never mentioned Frank Bufkin's name; I do not believe he mentioned anybody's name. Major Barksdale is a fluent speaker, and he deals in figures of rhetoric and beautiful figures of oratory, and the nearest he could have said which could have been applied, if the name of Bufkin could have been put there, would be to bury the Republican party so deep that there never will be a resurrection, and hang the shame so high that all generations may see it. I do not say that those were the exact words, but that was the idea—to bury the party. He was dealing in rhetorical flourish and figures of speech.

Q. And that was applied to the Republican party and not to Bufkin?—A. Yes, sir; to no individual. I was there and heard it. I was within twenty feet of him, and I was astounded when I learned that he had been charged with such a thing. I would not listen to a speaker who would use such language.

Q. You were not only surprised, but everybody who knew Major Barksdale in your county was surprised at any such testimony. I know from personal conversation with Major Barksdale that he never used any such language.—A. He did not.

The CHAIRMAN. Are you testifying now, Mr. Saulsbury?

Mr. SAULSBURY. There was a public speech made this morning here, and there was no interposition on the part of the chairman. Mr. Frye made a speech which was denominated by my associate as a stump speech. [To the witness.] Do you know Mr. Burnet?

The WITNESS. Yes, sir.

Q. The public prosecutor in this case?—A. Yes, sir.

Q. The gentleman who was brought all the way from Washington in company with this committee?—A. I do not know where he was brought from; I am acquainted with Mr. Burnet.

Q. Do you know his character in the community where he resides, or did reside?—A. I never had any transactions with Mr. Burnet. All the transaction I have ever had amounted to simply a conversation in passing. I never had any dealings with him of a financial character that I could test him by, or base my own judgment upon. If you ask me what the common rumor is—what the people there think about him, I can tell you that.

Q. That is exactly what I want; the reputation of the man?—A. The reputation in town? Well, it is not good.

Q. Not good for veracity?—A. I never have heard anybody until lately have occasion to say that they would doubt his veracity. There never has anything occurred that I know of with him that I could doubt his veracity until I saw over his signature the report in the National Republican; and I have to remark that, if Mr. Burnet is reported accurately and correctly, he has made a very slanderous report. If he was reported correctly, he has reported that which was false; for I was there and heard the speech, and that is all I know of it.

Q. If he is correctly reported in the National Republican, which you have seen and which you denominate as being a false statement, would you, if he is correctly reported, believe him on his oath?—A. I could not. I could not believe any man who would report falsely.

By the CHAIRMAN:

Q. What statement of Mr. Burnet's in the interview in the National Republican do you refer to?—A. I had reference to Major Barksdale's speech.

Q. Any other?—A. That is the only one I can recall now.

Q. So that in that interview in the National Republican you recall

but one statement that is incorrect?—A. That made a greater impression on my mind than any other one thing.

Q. Did he claim to have been personally present, or only to have heard that about Major Barksdale from somebody else?—A. I do not know; he gave it as truth.

Q. Have you heard Mr. Burnet's testimony here?—A. No, sir.

Q. Do you not know that one or more witnesses have testified that Major Barksdale used that language?—A. No, sir.

Q. Do you not know that Mr. Burnet has testified that he was not personally present when that speech was made?—A. No, sir; I did not hear Mr. Burnet's testimony.

Q. If it should turn out that Mr. Burnet in that statement, if it be erroneous, was misled by somebody whom he believed, who reported to him that Major Barksdale had said so, you would change your opinion about his character for truth and veracity, would you not?—A. I would have to look over the balance of the testimony.

Q. But you say you had not heard anything against his reputation for truth until that time?—A. Yes, sir; up to that time, until I read that, there was no occasion for me to ever doubt the veracity of Mr. Burnet.

Q. Are you a member of the board of aldermen of Hazlehurst?—A. No, sir.

Q. Have you been?—A. Yes, sir.

Q. When did you cease to hold that office?—A. At the last regular meeting or the time before the last regular meeting of the board.

Q. When was that?—A. I have forgotten the day of the month when the last regular meeting of the board was. It was a week or two ago.

Q. In what month—February?—A. Yes, sir.

Q. Were you a member of the board of aldermen which chose Ras Wheeler city marshal?—A. Yes, sir; I was.

Q. Did you vote for him?—A. I did.

Q. Did you know at that time that he was charged with murder?—A. I knew that he was on a bond—had given bond for his appearance at the circuit court.

Q. We are not speaking about bondsmen, but about Mr. Wheeler. Did you know he was charged with murder?—A. I did not know what he was charged with; I never saw the charge.

Q. You do not know that he was charged with it?—A. No, sir.

Q. You had not heard that he had committed a murder?—A. I had not heard the specific charge of murder against him.

Q. I will leave the answer as you choose to make it; I will not suggest to you an answer if you wish to leave your answer in that way. My question is whether you knew that he was charged with murder?—A. No, sir.

Q. You had not heard that he had committed murder, or any statement to that effect from anybody?—A. I know that he had been charged with—I knew that he had confessed to the killing of J. P. Matthews.

Q. And you elected him? You say that the people of Copiah County will compare in the qualities you have named, in morals, religious character, and peaceable character, or whatever the phrases are that you used, with any other community anywhere. With what other communities have you been yourself personally familar?—A. I have been familiar and am familiar with the communities in our neighboring county of Claiborne.

Q. Any others?—A. No, sir.

Q. So far as you know, the character of the people in this community

is as good in these particulars as in the other communities with which you have been familiar?—A. Yes, sir.

Q. You say that Print Matthews told you—won't you please repeat the words as near as you can which Print Matthews used to you? Did he say, "If you will join the ring you may have anything you want?"—A. I do not know whether it was he who said it, but if I would join the Republican party that I could get what I wanted. I do not know whether it was he who said it.

Q. I understood you to testify that Print Matthews said if you would join the ring. Now, do you still say that he said it, or do you say that he did not say it?—A. He either said it or it was said in his presence. There were four of us together—Sam Harvey and another man whose name I cannot remember; I do not remember who he was, besides Mr. Matthews and myself.

Q. You are not sure Print Matthews said it at all?—A. I am satisfied that he told me that if I would join the Republican party I could get it or anything else I wanted.

Q. Who used the phrase, "if you would join the ring"?—A. I am almost—I am persuaded almost—that he said it, though I would not swear that he did.

Q. That he said, "if you will join the ring"?—A. It was said in connection with the conversation that was going on between us four.

Q. What was the word used—"join the ring"?—A. "Ring"; yes, sir; that was the word.

Q. Did it strike you as a little singular that a person should invite you to do that and describe his political party as a ring—didn't that strike you as a little singular?—A. I thought it was very singular that I could be——

Q. But I mean the phrase—A. The whole conversation struck me as singular; that was no more singular than the balance of it.

Q. And you think Mr. Matthews, or possibly one of the others, said if you join the ring you can have anything you want? What were the warrants bringing at that time?—A. My own were not bringing anything, except as I would hunt up somebody who would buy them.

Q. What was their market value?—A. I got 50, 60, or 75 cents, as I would trade or pay an indebtedness that I owed.

Q. How would your being a Republican enable you to get any more for your warrants than being a Democrat?—A. Echo answers, how? That is all I can say.

Q. You do not know how your being a Republican could affect it. They had a certain value in the community, did they not?—A. Yes, sir.

Q. Now, what is the amount per capita expended for schools in your county?—A. I have not been in office long enough to accumulate the facts as to the educable children who will attend school this year, and how much has been appropriated for it.

Q. How long have you held the office that you now hold?—A. Since the 1st of February.

Q. Do you mean to say that having been elected to that office and taken possession of it, you do not know how much per head is appropriated for education in that county?—A. Not yet.

Q. Can you give anything like the amount: is it $1 or $1.15, or what?—A. What is appropriated depends on the grade of the teacher.

Q. But I speak of the entire appropriation for educational purposes in Copiah County; how much per head per child, or about how much? Give us something in the neighborhood.—A. I could not tell you.

Q. Is it as much as $2 a head per child?—A. I did not understand

you. I understood you to ask how much was appropriated in the county for educational purposes. I think it is about $1.60 per month, or from $4 to $6.50 per year. We run four months' schools.

Q. So that it is about $4 to $6 a scholar?—A. Yes, sir.

Q. How is that raised?—A. Raised by direct taxation mostly.

Q. Is it raised by a tax on persons and property, or by a poll tax; a special tax?—A. A poll tax; a special tax on real and personal property.

Q. Is the poll tax all appropriated to educational purposes?—A. Yes sir.

Q. How much is that?—A. I do not know; but it is $1.

Q. Are the children in Copiah County who attend school more than one-fifth of the entire inhabitants, in your opinion?—A. I have not looked at the statistics.

Q. You have not any sort of doubt that more than one-fifth of the entire inhabitants attend school anywhere?—A. Well, if you were to go to Copiah County you would see that there are lots of children there.

Q. I dare say; and you say there are lots of good men and women there, which I do not pretend to question at present. But you think as an educational man that the children would not exceed one-fifth of the whole population—children of school-age?—A. Hardly.

Q. If every man paid a poll tax, that would go very far towards making $4.60 a child, would it not?—A. It would pay for a good many.

Q. These poll taxes are assessed on the negroes as well as the whites, are they not?—A. The poll tax does not pay but a very small part of the schooling of the children of Copiah County; there is a deficit every year. It pays as much as it can.

Q. It is assessed on negroes and whites, Republicans and Democrats, alike?—A. Yes, sir.

Q. Is not the remainder of the school tax, under your law, made up by the whisky tax chiefly?

The WITNESS. The remainder to make up the school fund is levied upon whisky?

The CHAIRMAN. Yes.

A. Well, the whisky pays its tax, and still, with the poll taxes, a balance has to be raised.

Q. Is not the substance of the school tax in your district, in Copiah County, as elsewhere in Mississippi, made up of poll taxes, whisky taxes, and license taxes?—A. In our county the whisky tax is paid almost entirely, I believe, in Hazlehurst itself. Being a separate school district, the money is appropriated for school purposes within the corporate limits of that town. There is no whisky tax, except to pro-rate distribution from the fund which comes in, about $400. It pays for about $100 of that.

Q. In saying that the school tax was paid by the white Democrats, you do not mean to say that the poll tax is paid by them?—A. Each man has to pay his own.

Q. Then do you mean to have me understand that the whisky tax falls on the white Democrats?—A. That falls on the dealer.

Q. Whether he is a Democrat or Republican? You do not mean for us to understand that they are the consumers of whisky more than any portion of the community, of course? Now, can you tell how much of the school tax is paid by a tax upon property; what proportion of it comes on property after the whisky tax and the poll taxes have been applied?—A. I cannot.

Q. Are you prepared to swear that it is one-tenth part of it?

The WITNESS. Which?

The CHAIRMAN. That after the whisky and poll taxes have been applied to pay for the schools, that one-tenth part of the school expenditure remains to be defrayed by the general tax on property?—A. I do.

Q. How much do you swear remains to be paid?—A. I state considerably more than one-tenth, but I cannot say how much more.

Q. Will you swear that there is one-quarter of it?—A. I will not swear to any particular amount, but I believe honestly there is a good deal more than one-tenth.

Q. Will you swear that there is more than one-quarter, in your belief?—A. I will not swear to any definite fractional part.

Q. Are not the Matthews' large tax payers in your county; was not Print Matthews a large land owner?—A. Yes, sir.

Q. And some of his brothers also?—A. Yes, sir.

Q. The tax comes on their property as much as on that of Democrats?—A. Yes, sir.

Q. Is there any difference in the assessment of taxes?—A. No, sir.

Q. Then all you mean to say is that this portion of the school tax, be it more or less, whether one-tenth or one-quarter, which remains after the whisky tax and the poll tax has been applied, falls upon the property holders of the county, whether Democrats or Republicans, white or black?—A. Yes, sir.

Q. You have said something about the colored people being out on Sunday before the election, if I have got the date right. Do you not believe that large numbers of the colored people in beat 3 fled to the woods and slept there about the time of that election?—A. I never heard of it until after the election.

Q. You did hear of it then?—A. I heard rumors of it.

Q. Do you not know that the colored people have left, have been compelled to leave the lands of Mr. J. M. Matthews, and that he has himself found homes for some of them in Kansas?—A. I do not know a word of it.

Q. You do not know whether that is true or not?—A. I do not know anything about it.

Q. If that should turn out to be the fact you would change your opinion about the state of contentment of the colored population of that region?—A. Of course. I gave as my reason why I did not believe they were leaving there, the fact that the schools are reported as being filled up with children. I inferred from that that they were not all leaving, as had been reported to me.

Q. On your return from Jefferson County on the Sunday before the election did you hear the cannon firing in district No. 3?—A. I heard the cannon fire, or something I took to be a cannon; I did not know whether it was thunder or a cannon.

Q. Is it the practice of these excellent Democrats of Copiah County to fire cannon to summon people to church as well as to political meetings?—A. I do not know whether they fired that cannon.

Q. But is it their practice to do that?—A. No, sir; it is confined to political meetings.

Q. Is it the practice when they have political meetings to fire cannon about the highways or fire cannon between midnight and morning?—A. I do not know anything about it. I do not know about firing cannon at night.

Q. Or guns or pistols?—A. No, sir.

Q. If pistols and guns were fired about the houses of people between

midnight and morning, and for a few days before the election, if that should be true, you would not from your experience of the habits of your people attribute that to the purpose of summoning people to hear speeches, would you?—A. I would not attribute that to the Democratic party there.

Q. I do not suppose you would. Do you know as a matter of your own knowledge, whether for a fortnight before that election, the joint meetings between these two parties were given up, so far as the Republicans were concerned?—A. I heard that the programme had been abandoned.

Q. When did you hear they had to do it?—A. I do not remember now. I think they had made discussions in all the districts, however.

Q. But the programme you think had been abandoned?—A. I do not know at what time it had been abandoned; whether they had completed one round. They just quit.

Q. Did you hear Major Barksdale's speech to these mounted men when they were in the saddle?—A. No, sir; I was in my school-room.

Q. You were then a school teacher?—A. Yes, sir.

Q. You were also a member of the prohibition convention who sent Mr. Wheeler as a delegate to represent them before the legislature?—A. No, sir. My name was on the prohibition list, but every time they had a meeting I was in the school-room. I attend no meetings that occur at the time my school work is going on, or my office work, either one. I never give that up to attend to this other. I think there are enough to attend to that.

Q. Which are the most numerously attended in your county (I ask this rather as a matter of curiosity than as bearing on the case), the white or the colored schools?—A. I have not consulted and compared the average attendance of all the schools, only with regard to a few schools. As reports began to come in I would compare the average attendance with the enrollments, and I find the attendance at the colored schools, that the percentage of attendance, is a good deal larger than at the white schools.

Q. How do these colored children get on in their schools; do they prove rapid and intelligent pupils?—A. Where they have good teachers their progress is very good.

Q. How do they compare with the white children of the same age?—A. I am not prepared to judge of that. I have not visited any of the colored schools. I think a great deal depends on the teacher.

Q. Do they have as good teachers generally in the colored schools as in the white schools; do they have equal chance?—A. Yes, sir; the teachers are subject to rigid examination before appointment by the superintendent. When I went into office there I simply ratified the previous appointments.

Q. How, so far as their capacity for education goes, do the colored children of that State compare with other children?—A. We have colored children in our county as well advanced for their age as you will find in any county in our State or in any adjoining State. I believe they compare very favorably with colored children of the same age elsewhere. There has not been a year since the organization of a public school system that the colored people have not had public schools in our State of an equal length of session with the white people, and every effort made to sustain and maintain those schools as long as we could have funds to run them.

Q. Did you attend this meeting which took place after the killing of

Mr. Matthews?—A. No, sir; I was in the school-room and I do not know anything about that meeting. It was over with before I knew of it.

Q. Do you approve of the killing of Mr. Matthews yourself?—A. No, sir; by no means. I never approve of the killing of any one. There is no one who regrets the circumstances of the killing of Mr. Matthews, I suppose, any more than I do.

By Mr. CAMERON:

Q. Some people might be uncharitable enough to believe that when you voted for Wheeler as marshal of your city that you did approve of it?—A. I would like to disabuse the minds of this committee, if there should be such an impression on the minds of any of them. I never had in my mind a thought of voting for Mr. Wheeler because he had killed Mr. Matthews. I thought outside of that, knowing him as well as I thought I did, that he was the best suited man for the position of town marshal of any man who had made an application.

By the CHAIRMAN:

Q. You have described the character of your people. Do you think he is as good, outside of this act, as the average of those people? You would not have voted for him if you had not thought so?—A. I thought he was qualified for the position.

Q. You thought he was a good man?—A. He is a good man. He is hot-brained and hot-headed.

Q. But a good man?—A. He has a good heart.

Q. And will compare with other individuals there in excellence?—A. I think he is a man who sometimes manifested indiscretion.

The CHAIRMAN. I should be inclined to concur with you in that view.

JOHN B. MIDDLETON sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Copiah County, Mississippi.

Q. What part of the county?—A. In district 3.

Q. How long have you lived there?—A. Nine years, I believe.

Q. Have you lived in Copiah County any longer than that?—A. All my life in Copiah County.

Q. What is your occupation?—A. I am a farmer.

Q. Did you take any interest in the last canvass and attend any of the political meetings?—A. Yes, sir; I attended some of them, though I did not take a great deal of interest in it, as my wife was sick most of the time. I attended some of the meetings.

Q. Do you remember attending a meeting at Antioch Church?—A. Yes, sir; I went over there with my cousin, Mr. Guynes, to the speaking there that day.

Q. Was that a meeting for joint discussion?—A. Yes, sir; it was so appointed.

Q. State what occurred at that meeting, if anything.—A. I can state a good deal; I cannot remember it all. I went over there with Mr. Guynes. They were to meet Mr. Bridewell and Mr. McNeil, to speak. There was a good big crowd assembled there, but Mr. Bridewell was not there on account of sickness, we learned. The time was divided. Mr. McNeil spoke twice, and Mr. Rowan and Mr. Guynes once apiece. They were Democrats and Independents.

Q. Which were Democrats and which were Independents?—A. Rowan

and Guynes were the Democratic candidates, and Bridewell and McNeil the Independent candidates, for representatives.

Q. How many Democrats were present at that meeting?—A. I cannot say positively; seven or eight.

Q. How many people were at the meeting altogether?—A. I declare I do not know. There must have been one hundred.

Q. Was there any attempt there on the part of the majority of the people present at that meeting to bulldoze or commit outrages or anything of that kind?—A. I do not know what the term bulldozing means. I will tell what occurred there. These gentlemen spoke as the appointment stated, and as agreed upon. When they got through, the Independent party proposed to present a man by the name of Ormon, contrary to the rule. Mr. Ormon, I believe, was a lawyer. We objected; we said it was violating the rule and that we were there in a small minority at this meeting and we did not think they ought to impose on us. I saw that they insisted very strongly and I told my other friends there, I said: "Boys let Ormon speak as much as he wants to; I don't think it will amount to much any way." Mr. Ormon got up and I and Mr. Allen and others laid down in front to listen to him speak. His remarks were very abrupt and insulting towards the Democratic party. I did not say anything; I told the boys to keep quiet. I said just let Ormon alone; I do not think he can hurt anybody. There was an old colored man there, and every time any thing was said to please him he would jump up and hollow and get up so that we could not hear the speaker. A gentleman asked him to sit down and hush. He said, "I want you to sit down and shut your mouth so that I can hear the speech." That seemed to enrage some of those men, and they arose and walked backwards on the hill, and commenced cursing and abusing us that were there, and said that if we wanted anything out of them they were prepared for us; that if we had come there for any difficulty they had come prepared. I got up from where I was lying down and walked back. Mr. Dunbar, the constable, was there and he told them to hush, that nothing wrong was intended. I said to them: "Gentlemen, we do not come here for a difficulty, and do not want it." But they went on and used bad language for some time, but I and Mr. Dunbar together got them to hush. That was about all that occurred there that I remember, except that two of the Mr. Allens, one an Independent and the other a Democrat, wanted to have a friendly talk—they were brothers—but Mr. Bufkin interfered and insulted the Independent Mr. Allen very much. We got that quieted, though, and I think then the Democrats all left except myself and Dr. Rowan. We were standing talking when Mr. Allen walked up—Mr. Dunbar, Mr. Rowan, and myself were talking—and he went on and abused us a good deal, and said the Democratic party was composed of nothing but deserters and Confederate soldiers; was made up of that kind of men, and a great many other insulting remarks, to which I made no reply, only that I said I was a Confederate soldier and never deserted and did not desire any difficulty with him or anybody else. I think that was about all that occurred there that day. There was nobody hurt.

Q. How about a meeting at Goff's Store; was there any trouble there?—A. Yes, sir. If my memory serves me right it was about two weeks before the election. We were having club meetings all over the county. I think both parties were. There was to be be a joint discussion that day somewhere beyond there by those public speakers. We knew nothing of any meeting at Goff's Store until evening, when there came a man over to our club meeting and said there was to be a public speaking at

Goff's Store. I think seven of us had assembled at Ferguson's precinct, where I vote. That was contrary to the agreement, and so unusual, that we concluded we had better go over and see what was going on. It was about 4 miles off. We went over, and when we rode up Mr. J. P. Matthews was speaking to a considerable crowd of colored and white men. He was about closing his remarks. I was standing close by his buggy, and I do not know whether the man was excited by his speech or whether it made him mad to see us come, but he seemed to be out of humor. He spoke to me as usual, and said, "Middleton you Democrats have passed some mighty bad laws in Mississippi." I said "Why, what about it?" He said, "Your merchants are all a stealing." I said, 'Oh, no, I think not; I think we have some clever, gentlemanly merchants in Mississippi, in Copiah County." He said, "They are all stealing, and me with them, and you Democrats have passed the law for us to do it," and he sort of laughed, and so did I. And a young man standing by, said he would tell him worse than that, and used an oath. I said, "No, I do not propose to swear, and I do not want any hard feeling with Mr. Matthews." Then Mr. Matthews drove off in his buggy to Mr. Goff's, I think, as I learned afterwards. While he was gone, we were standing around talking, as men do at political meetings, and one of my sons and several boys were standing there and he said, "We have decided by a vote at Brown's store, that there shall not be any incendiary speeches made by anybody."

Q. Who said that?—A. My son. At that remark, this Mr. J. W. Dunbar seemed offended, and pulled off his hat and swore around and said that he intended to see that Mr. Matthews took a crowd of colored people to Ferguson's precinct to say what they pleased, and would bring them to my gate and make them speak what they pleased. I said to him that nobody said anything about that or cares anything about it at all, and my son wanted to explain to him that he did not live in that vicinity, but he would not listen to him. He kept on with his insulting abuse until he got into a crowd about twenty steps from me, and he tackled a man there. He ran foul of a man named Bell out there, and they got into a little fight and scratched around a little, but they soon separated them. About that time I walked on to Goff's store, and on the gallery standing there were a crowd of gentlemen, and Mr. Matthews drove up and spoke, him and his lady. Mr. Millsaps was present and walked out and shook hands with Mrs. Matthews. I am trying to tell you how the thing came up. He asked her why she treated him so coolly. He said, "We are relatives, and I do not want it to be the case." She remarked that he was a Democrat, and laughed at him, and he said, "Well, that isn't any difference with us." At that Mr. Matthews commenced his remarks to me, Mr. Millsaps, and Mr. Davis in about these terms. He says: "You Democrats," looking right at me, "are midnight assassinators." I said, "Mr. Matthews, I think not; I do not think we are." He says, "Your papers advocate it, and you back it, or support it." I said, "I think not." About that time Mr. Davis told me to hush and not have any difficulty. I said I did not come there for that purpose. He further remarked that any man who was not an Independent in Copiah County was a midnight assassinator. There were men there that day with arms.

Q. What class of men, what party?—A. What arms I saw in the hands of any men were in the hands of some colored men.

Q. How long was that before the election?—A. Two or three weeks before the election.

Q. Mr. Dunbar was the constable of that beat?—A. Yes, sir.

Q. An Independent?—A. Yes, sir. There was a pistol drawn that day, so I was informed, but I didn't see it. I was informed it was done by Mr. Frank Bufkin, who was then supervisor.

Q. And Independent candidate for re election, was he not?—A. Yes, sir. He drew a pistol on a gentleman there that day; mixed up in that difficulty. I did not see it. I was informed then that while this conversation was going on between Mr. Matthews, myself, and Mr. Millsaps, there was a colored man standing to my left on the gallery. I did not see him. I was told that he stood there with a double-barreled gun lifted in this position [indicating], with one thumb on the hammer. While the conversation was on I noticed my son and Ras Matthews standing out in front of me, and I noticed my son walk up on the gallery and walk around. After we left there he said, "Pa, I am mighty glad you hushed; there was a negro standing with his gun up that away, with his thumb on the hammer; I walked up there to watch him; I was satisfied if you had used any harsh words you were going to be shot." I said, "What did you intend to do?" He said, "I had a good Smith & Wesson in my pocket, and if he had pulled back the hammer I intended to save your life."

Q. Did you hear Mr. Matthews make any speeches in that canvass?—A. I heard him make one.

Q. What was the tone and temper of that speech?—A. That was the second speech made in Hazlehurst after the campaign opened. It was made in the discussion between Mr. Miller and Mr. Matthews. I do not know that there was anything in it particularly. Many people went to Hazlehurst that day to ask—as there had been insults offered by both parties before in discussions—we went there to ask them to divide time and discuss the thing fairly and friendly, and it was agreed to. On that day Mr. Matthews did not make a speech which was out of the way particularly. He abused the Democratic party a good deal, but we were used to that.

Q. Do you know anything of the killing of Tom Wallis, or the causes which led to it?—A. I do not know of my own knowledge. Wallis was killed about 4½ miles from where I lived.

Q. Do you know the causes which were generally assigned by the community or any portion of it?—A. It is believed by many men in that country that some man went there hunting his son. There was one man at the coroner's inquest, and he said that from what his son stated he was satisfied there was a company of men there hunting him, and when they got down they asked for him, and a fight occurred in the house, a gun was fired, and the father was killed. It is believed that some one went there for him, and this old man made a fight and was killed.

Q. What did they go after the son for?—A. Well, he was a sort of bad character. One of the Matthewses here knows that his boys were all bad men; he had worked them on his contract farm. It is believed by some that he was killed on account of something else.

Q. Is it believed by anybody or by many people that he was killed for political causes?—A. I do not know of anybody who believes it. I do not believe politics had anything to do with it in the world. I know my neighbors did not believe that politics had anything to do with the killing of Tom Wallis. Tom was a quiet old man himself.

Q. He did not take much part in politics?—A. No, sir.

Q. Had he made himself offensive in politics to anybody?—A. I never heard of anything. If that be the case there was a good many who were

killed. There was one killed near me a few weeks ago—a Democratic colored man—a very influential one.

Q. But not from political causes?—A. I do not think so. He was assasinated on the road-side in broad open daytime.

Q. The opinion is it was done by some private enemy?—A. Yes, sir.

Q. He was a Democratic colored man?—A. Yes, sir; his name was Kin Harrison.

By Mr. CAMERON:

Q. That was since the election?—A. Yes, sir. I do not think politics had anything to do with the killing of any of these colored people. I want to give my opinion on the killing of a good many of the colored people in our county. They shoot one another, fight one another, and cut one another a great deal about their women. I am satisfied that Kin Harrison was killed, but we could not prove it (we investigated it two days), that he was killed about another one's wife, but we could not prove it. I think a great deal of their cutting and shooting and difficulties occur just in that way.

By Mr. JONAS:

Q. You think a woman is at the bottom of it?—A. Yes, sir; I think so; I am satisfied of it.

By Mr. SAULSBURY:

Q. It has been said here that there was a man at the voting place there (I do not know whether it was your voting place or not) who had a gun. Do you know that man, Mr. Allred?—A. Yes, sir.

Q. Is he an insane man?—A. Yes, sir; he is so thought to be. He is the man who was at Tailholt with the gun.

Q. It was said that he was at that voting place with a gun on the day of election?—A. Yes, sir.

Q. Was he spoiling for a fight that day?—A. I do not know. I was not there; I did not vote there.

Q. You know the man, do you?—A. Yes, sir.

Q. Is he regarded as a crazy man in the neighborhood?—A. Yes, sir; he is. Three years ago this spring I was on the grand jury in Copiah County and he was presented there for making threats, drawing guns, &c., on people, to be indicted. Being acquainted with him as I was I told the grand jury I did not think we ought to indict an insane man, if we did it would not amount to anything, and argued the case with them, and we did not find a criminal bill against him, but found a bill of lunacy and presented it to the court, as a crazy man, proved to be so by his neighbors.

Q. And the grand jury presented him to the court as a crazy man three years ago?—A. Yes, sir: three years ago this spring. The court ordered him to the lunatic asylum, but his wife, brothers, and mother did not want him to go. They said they could control him, and if nobody would bother him or make him mad there was no danger. If they found him with a gun he would not hurt anybody unless they disturbed him. He was peaceable undistured, but if you disturbed him he was dangerous.

Q. Has he from that time up been regarded as a crazy man in the community?—A. Yes, sir; so far as I know he is regarded so by his neighbors and acquaintances.

Q. Is he engaged in planting, raising corn, cotton, &c.?—A. No, sir; I think not. Three or four years ago I was creditably informed by his

wife and daughters that he decided one time that he was Jesus Christ and he would not work for me or anybody else.

Q. And that is the man who is held up here as being at the election threatening to shoot negroes and wanting to murder?—A. And another thing I did not see, but I was reliably informed, that he was at a protracted meeting of the Methodist church last summer 8 or 10 miles from me, an experimental meeting, where people tell their religious troubles, and he got up and told the audience and preachers—they would say what they had made up their minds to do—and Allred said, "I have made up my mind to serve the devil, and I am damned apt to do it." He said that right there in the church house.

Q. The witness who testified to us before the recess that he was not a crazy man, either did not know the character of the man or testified to that which is not true; do you say that?—A. Well, he was quite different in opinion from me and a number of other citizens down there who know the man. He is so regarded as being a crazy man by myself and a number of other citizens. Our physician, who has attended Mr. Allred and his wife, told me some time ago that he was afeared of him, and dreaded him, and he has seen and knows all about him.

By Mr. CAMERON:

Q. Is this crazy man allowed to run at large in that community?—A. He has been so allowed.

Q. Has he ever been confined on account of his insanity?—A. Not that I know of. It has been advised and urged—

Q. Just answer my question, please. I ask if he has ever been confined on account of his insanity?—A. I say not that I know of.

Q. Have you ever heard that he had been confined for that reason?—A. No, sir.

Q. How long has he been insane, if he is insane at all?—A. To my recollection three or four years; four years, I think; may be longer. There are gentlemen here who live nearer to him than I do, and know more about him than I do.

Q. Is it usual to allow insane men to run at large with guns in your neighborhood?—A. No, sir; we do not have any in my neighborhood; this man does not live in my immediate neighborhood.

Q. You have spoken of some difficulty that occurred at Cofi's store at the time that Mr. Dunbar was present, I believe?—A. Yes, sir; I spoke of that.

Q. Who, if any one, was hurt on that occasion?—A. Mr. Danbar was hurt some.

Q. Was he the only one who was hurt?—A. I don't remember whether Mr. Bell was hurt or not. I suppose he was hurt a little. They fought.

Q. Bell and Dunbar were hurt a little?—A. Yes, sir. Now, I did not see the lick. I was told that Bell struck at Dunbar with a wide piece of sand-rock, which we have in our country, and he dodged, but it struck him on the back of the head.

Q. Bell was a Democrat and Danbar an Independent; is that so?—A. Yes, sir.

Q. Which of them was the more severely hurt?—A. I could not say.

Q. Have you any information about that?—A. The only hurt that I saw about either man was merely some scratches.

Q. On which of them did you see scratches?—A. I saw some on both of them. I did not remain there but a short time.

Q. You state that you heard one of J. P. Matthews's speeches during the campaign?—A. Yes, sir; one of them.

Q. Was there anything objectionable in that speech? If so what was it?—A. Nothing more than I have stated; that it was pretty severe on the Democrats. I could not repeat his language.

Q. Have you ever heard Democrats make speeches when they were severe on the Republicans?—A. Oh, yes, sir.

Q. Was he more than ordinarily severe?—A. Well, I declare I could not answer whether he was more than ordinarily severe or not.

Q. Was he more severe than political speakers generally are?—A. He made some remarks in that speech—as I stated it was nothing in particular only pretty severe on the Democrats. I do not remember the few remarks that he made that were powerfully objectionable. He seemed to allege all the errors that had been committed for a number of years to the Democratic party.

Q. Did he say anything in that speech for which in your opinion he ought to have been killed?—A. Oh, no, sir.

Q. Did you attend a political meeting at Goff's store on the Saturday following, the meeting at which Mr. Dunbar was present?—A. Yes, sir.

Q. Who spoke at that meeting?—A. Mr. Guynes and Mr. Rowan.

Q. Did you see any armed men there that day?—A. Yes, sir.

Q. How many, in your opinion?—A. I declare I could not say positively how many there were.

Q. Give us your best judgment about it.—A. I could not tell you really. I do not think there was more than fifteen or twenty or twenty or thirty maybe that had guns.

Q. What arms, if any, did the others have?—A. They must have had a good many pistols. I started off ahead of the crowd some, and there were a good many pistols fired in each direction.

Q. Was that a Democratic meeting?—A. Yes, sir; that was appointed as a Democratic speaking.

Q. It was a Democratic meeting, was it not?—A. Yes, sir; you might call it a Democratic meeting, although we notified the people that Guynes and Rowan were to be present and speak.

Q. How many were present at that meeting in all, according to your best judgment?—A. That is a hard question to answer; I did not count them. May be there were a hundred in all.

Q. And thirty to forty had guns, and they must have had a great many pistols also?—A. They had some pistols.

Q. Were you armed yourself?—A. Well, I carried a gun over that morning; yes, sir.

Q. What kind of a gun did you have?—A. It was a rifle and shot-gun.

Q. Did you have ammunition?—A. No, sir; I didn't have any ammunition.

Q. Was it loaded?—A. Yes, sir.

Q. What was it loaded with?—A. I think the shot-gun had squirrel-shot in it.

By the CHAIRMAN:

Q. Do you mean you had a gun with two barrels, or two guns?—A. A rifle and a shot-gun—one gun.

By Mr. CAMERON:

Q. Did you go there on horseback?—A. Yes, sir.

Q. How far do you reside from Goff's store?—A. About 4 miles, I reckon.

Q. Were you a member of the Democratic club of your neighborhood?—A. Yes, sir.

Q. How many members did the club have at that time?—A. I do not remember; not many.

Q. You know about how many?—A. I do not at that time, because they had just commenced to organize the club and they had not all come in. I think there was about twenty at that time.

Q. Did the club meet before that meeting and resolve or agree in any way to attend the meeting on Saturday at Goff's store?—A. No, sir; I did not know that meeting would be there. As I stated, that was contrary to the rules of the publication. We did not know that meeting was going to be there until that evening.

Q. Until Saturday evening?—A. I say evening, but it was about 1 o'clock may be when we heard it.

Q. After that did the members of your club conclude to attend the meeting or not?—A. Well, we heard it on the spur of the moment. We had not heard of the meeting until that evening.

Q. You heard of it in time to go there?

The WITNESS. You mean the meeting where Matthews spoke?

Mr. CAMERON. No, no, I do not mean that; I mean the one that you attended with a gun.

A. No, sir; I do not remember that there was any resolve or anything of that kind made by the club.

Q. How many of your club attended that meeting?—A. I declare I don't remember how many of our club attended. You call it my club; it was not mine.

Q. I mean the Democratic club organized in your neighborhood?—A. Twenty, may be, twenty or thirty.

Q. I thought you just stated there were only about twenty members?—A. I thought you were speaking of the Saturday that we went off to go over to the other. You and I have got the time on different Saturdays. The Saturday we went off to go over there we had only twenty members then. That was the time when Mr. Dunbar was there.

Q. I am not speaking of that now?—A. Well, I suppose of the Ferguson's club, the day that Guynes and Rowan spoke there, there must have been about thirty.

Q. Had the club been requested or notified to attend that meeting by the Democratic authorities?—A. No, sir.

Q. Did the members of that club go there armed?—A. Some of them did.

Q. What proportion of them did?—A. I do not remember what proportion of them, and those that had pistols I could not say who they were because I did not see the pistols.

Q. How many of that club carried guns there, according to the best of your recollection. About thirty of the club went, you say?—A. I will put it at that; I will not say positively.

Q. Did they all go on horseback, as near as you remember?—A. Yes, sir; I think they did.

Q. Did you go in company with them?—A. Some of the boys went along as I did, and some did not.

Q. How many of them?—A. I could not say; I suppose ten or twelve.

Q. Were the ten or twelve who accompanied you armed with guns or not?—A. There were two young men from Jefferson County, I can't remember their names now, that had guns along.

Q. Were they members of that club?—A. No, sir.

Q. I ask you how many members of that club.—A. I will say three or four had guns.

Q. What did you carry your gun for?—A. For different purposes.

One was, I had got news a few days before that—there were general rumors afloat that if we went over there, if Guynes and Rowan spoke they would be taken off the stand; that they should not speak.

Q. And you went over with your gun prepared to defend them?—A. I told the boys when we started that I did not believe a word of it, but that we would go over and see.

Q. You did not believe those rumors?—A. No, sir; I could not see why they wished such a thing. I rode over to Goff's store and sat my gun down and went about with the crowd.

Q. Was there any attempt made to take the speakers from the stand?—A. No, sir; everything was perfectly peaceable and friendly. After the gentlemen got through we invited any Independent or Republican speaker to reply, and they called on J. W. Dunbar then, some of the boys did, and he declined, and some of the crowd off a piece made some kind of insulting remark—I heard it—about Mr. Dunbar, and I walked straight away to them, and I said, "Who was that spoke here?" and they laughed, and I said, "Boys, you shall not do that; there must be no fuss raised here at all. These other men are in the minority, as we have been, and so far as I am concerned you shall not insult one of them now. I did not come here for a difficulty."

Q. Was Mr. Dunbar, who was invited by the Democrats to speak, the same Mr. Dunbar who had been struck on the head with a rock a short time before?—A. Yes, sir; he was the one who had a fight with Bell.

Q. Did you attend any other political meetings at any other time during the campaign?—A. Yes, sir.

Q. Where did you attend the next one?—A. This time we are speaking of now, was drawing towards the election.

Q. Did you attend any political meeting after the Democratic meeting you attended at Goff's store when you went there with your gun?—A. I believe that was the last one I went to.

Q. Do you not know whether it was or not?

The WITNESS. Do you mean the joint discussions?

Mr. CAMERON. I mean joint discussions and others.

The WITNESS. Yes, sir; I think that was the last one.

Q. Did you attend any other political meeting after that before the election?—A. Yes, sir; I went up to Hazlehurst to hear Major Barksdale speak.

Q. Did you carry a gun or pistol with you?—A. No, sir.

Q. Did you carry your gun to any other meeting except the one you have mentioned?—A. No, sir; I did not.

Q. Did you go to Hazlehurst in company with the armed crowd of men on Monday?—A. I did not.

Q. Were you not with them?—A. I was in town that day.

Q. Did you not go there that day with this mob, as we call it?—A. No, sir. I got in my buggy that morning and drove on into town an hour and a half or two hours before these men came in; Mr. Millsaps will tell you so; I met him coming out of town. Some gentlemen have supposed I was with them, which they might have reasonably supposed, for I was in town. Mr. Matthews said I was with them, and had a right to suppose it; but I went in ahead of them; I did not go in with them.

Q. Do you know A. B. Middleton?—A. Yes, sir; he is my son.

Q. Do you know whether he accompanied that armed body of men through the county to any extent?—A. He came in with them that day.

Q. Mr. Hoar wants to know where your gun was when you went into town without it that day?—A. It was at home.

Q. Nobody had it?—A. No, sir; not that I know of; if they had it they had it unbeknowing to me.

Q. How long was your son with that body of men?—A. I could not tell you. While this riding and shooting was going on a great deal of the time my wife was sick, and I was closely confined at home, and I would like to state, with the permission of the committee, why I went to town that day.

Q. But, first, I am trying to ascertain how long your son rode the county with that armed body of men?—A. I could not answer, because I do not know. They were grown men and all attending to their own business.

Q. Does your son live with you?—A. No, sir; not now.

Q. Did he at that time?—A. Yes, sir; my house was his home then.

Q. Now can you tell how long he was with that armed mob?—A. No, sir; I cannot; as I stated, I do not know.

Q. Have you ever inquired of him?—A. No, sir; they were all off at these political meetings, as they called them. Well, I remember one time distinctly that he was along, and I remember one time distinctly when he was along when they were to have these speakings.

Q. Did he usually carry a gun with him?—A. No, sir.

Q. Did he ever carry it with him when with that armed body of men?—A. I do not remember ever seeing him carry a gun.

Q. Have you ever talked with him about it since?—A. Yes, sir.

Q. What have you learned about it from him?—A. The first day they started out when I remember that he was not along; I remember that he was at home sick.

Q. Is your son present here?—A. No, sir.

Q. Do you know whether he has been subpœnaed as a witness here?—A. I do not.

Q. How far from you does he reside now?—A. About 2½ miles.

Q. Did you see him after you were subpœnaed before coming here?—A. I do not believe I did. I thought at first I did, as he comes to my house every day or two, but I do not think he came after I received the subpœna.

Q. Can you mention the names of any of that armed body of men who went to Hazlehurst on Monday besides your son?—A. Yes, sir; I can mention the names of some.

Q. Mention as many as you can remember.—A. There was some young men named Higdon, who were along, and Mr. Allen—I can't remember the names of them. They were just young men from different portions of the country. There was a Mr. Davis. Now, I might state some who were not along with them. Mr. Granberry and Mr. Watson were along with them sometimes, but I might state some who were not along with them.

Q. Is that the only time you were with the crowd?—A. Yes, sir; the day I went up to the store. After they got riding around with the cannon I was not with them any more.

Q. Who was president or chairman of the Democratic club in your neighborhood?—A. At Ferguson's? Mr. Frank Davis.

Q. Were you present when that club adopted a resolution to attend the political meetings armed?—A. I have no recollection of such a resolution.

Q. You remember whether or not you were present when any such resolution was adopted?—A. I do not think I was; but, as I have stated, there was a heap of club meetings and others that I could not attend on account of the sickness of my wife.

Q. Was John Decell a member of the same club that you were?—A. I think so; I would not say now that he put his name down.

Q. Did you suggest to Mr. Decell that the club should arm itself, and did Decell say that he would not consent to it unless they got regular Army guns, or anything to that effect?—A. I do not think I did; I have no recollection of making any such suggestion, and do not think I ever did; I know I never did speak to him about being armed; I do not think I ever used any such language to him.

Q. Did you suggest to any one that the club arm itself?—A. No, sir.

Q. Did you not suggest that they go armed to the Democratic meeting on Saturday to Goff's store when you heard that the Democratic speakers were to be taken from the stand?—A. No, sir; I was not president of the club. The suggestion had been made that as we had been threatened, if we went at all we had better go prepared; that we might get into a scrape.

Q. Who made that suggestion?—A. I really do not remember.

Q. Did you not make it yourself?—A. No, sir.

Q. You acted upon it, however, and went there armed?—A. Yes, sir; I went there.

By the CHAIRMAN:

Q. Is the son whom you say was with you at the time you were on the gallery at the store and said that the colored man had a gun, the same son you have been speaking of lately, or another one?—A. No, sir; that is another one.

Q. He lives in another part of the county?—A. He did at that time.

Q. What is his name?—A. J. D. Middleton.

Q. Did he ride about with these men at all?—A. Not that I know of.

Q. Did you ride about with them at night at all?—A. No, sir.

Q. Did your son, the one who lived at your house?—A. He rode with them twice.

Q. He did some night riding, did he not?—A. He was gone from home. I could not say positively that he did.

Q. Did you approve of the performance of riding about at night and firing guns about the colored people's houses?—A. No, sir.

Q. Did you express your disapprobation at any club meeting?—A. I asked a while ago the privilege of making a statement about those things.

Q. State it now.—A. My advice was as to this political enthusiasm, to hurt nobody, and I advised the boys not to hurt one another; I was afeard they would get into difficulty among themselves. My reason for going to Hazlehurst that day was, that there was great excitement all through the whole country, and there had been threats made; we had heard reliably that there was coming a body of armed men from Hazlehurst to kill us, that they were coming there to kill us. I received the news way in the night, and I did not give it but very little attention. I told my folks about it, but I did not think there was anything in it. The excitement was so severe that I heard that the men or boys, or whatever they call themselves, were going to town the next day, and I went ahead of them.

Q. Did they say they were going to carry the war into Africa?—A. No, sir; there was nothing said about war, that I remember; but I said I wanted to go ahead of them to tell the people that the boys did not intend to hurt anybody. The news had come that there were seventy-five men coming out there to kill these kangaroos, as they called them.

Q. Who did they call that?—A. The men who were speaking down there and shooting.

Q. Which side, your side or the other side?—A. There were some of both sides.

Q. To what class of persons did that word apply?—A. I say it applied to those men who were riding around and shooting, some called them kangaroos. I got in my buggy and went on ahead of them, an hour and a half or two hours ahead, to tell the people what I had heard. The citizens of Hazlehurst seemed to be glad to see me come in, and asked me if anybody was going to hurt anybody. I told them there was not a particle of danger of anybody being hurt, that the boys were getting up enthusiasm, but I was sure they would hurt nobody unless somebody attempted to hurt them. Mr. Bridger told me there was an armed body of men going to attack these men that were going around. He said that was the news that had come in.

Q. You went in ahead. Have you finished the explanation you wished to make?—A. I went in to tell the people that I did not think anybody would be hurt; that it was not their intention to hurt anybody.

Q. The news came out that some of the Hazlehurst people were going to come out into your neighborhood and attack some of your people?—A. Yes, sir.

Q. Thereupon your boys did not stay at home to defend your people, but mounted and went into town, and you went in ahead of them in your buggy?—A. Yes, sir.

Q. Did they say anything about going to Print Matthews's house?—A. I never heard it. I heard of it.

Q. Do you know of any persons coming out to tell those boys that Mr. Matthews's daughter was sick?—A. Yes, sir.

Q. What was done about that?—A. When the boys came into the town and fired their cannon on this side of town and halted around there a good deal—I do not think there was any other shooting but the cannon—I went to them and told them they must not cross the railroad with their guns. They asked me why. I said I am told that Mr. Matthews's daughter is very sick, and they want no disturbances on that side of town, and Mr. Davis's wife is sick, and I understand the old gentleman, Matthews, is in feeble health, and I do not want any disturbance over there.

Q. You say that your son said that they were not going to allow any incendiary speeches—your son that came from the other part of the county, did you say that?—A. I commenced to say that they had agreed not to allow either party to abuse each other.

Q. Who had agreed?—A. The club, I suppose.

Q. Who was to judge whether the speech was peaceful or incendiary?—A. I do not know.

Q. Did you ever hear it suggested that when a man makes a speech on politics he is to judge what is incendiary in it himself, and not have it judged by his adversaries?—A. I do not know about that. They were not willing for one speaker to personate and abuse another one.

Q. Did you see any person with a gun in his hand within four days of that election who was not a Democrat?—A. I do not remember.

Q. Did you know of anybody firing off a gun who was not a Democrat—done in your presence or hearing, to your knowledge?—A. No, sir; I do not remember that I did.

Q. Did you know of any person getting killed or beaten or seriously

injured within a fortnight of that election in Copiah County who was not an anti-Democrat?—A. I do not know, sir; I do not remember.

Q. When that story was told you that people were coming up from Hazlehurst to attack and molest these boys that were riding about, did you believe it?—A. I could not have a fixed opinion.

Q. But did you believe it?—A. There was so much excitement going on I did not know what was going to occur.

Q. That is not my question. My question is whether you believed that story?—A. I did not know, as I remarked, whether to believe or disbelieve it. There was a young man came to my house directly from Hazlehurst and told me that was the report there.

Q. Who was he?—A. His name was Morehead.

Q. Was he a Democrat?—A. I could not tell you.

Q. Now, on your oath as an honest man, do you not believe that the rumor of such an attack on the white Democrats of that county was as absurd and idle a notion as could possibly get into a man's brain?—A. I do not know that I understand the question.

Q. The question is, I ask you upon your oath whether you do not believe that the idea of an attack being made by a body of Republicans upon the white Democrats of your neighborhood was as absurd an idea as could enter a man's brain?—A. No, sir; I do not believe it, because we had been threatened, and news had come to me that Mr. Fugate, a depot agent at Hazlehurst, had said there had been arms shipped thert from other parts.

Q. Anything but a box of pistols sent to a merchant?—A. Mr. Fugate said it was a box of arms.

Q. It contained one pistol, it appears, so far as he knows; he says so in his testimony.—A. Well, the news to us was that there were guns shipped there.

Q. Did you endeavor to restrain your son from riding out those nights?—A. I told the boys not to hurt, disturb, or molest anybody at all. They could go to their speakings and shoot their cannon.

Q. But late at night, I mean?—A. I did not see my son a great deal of the time.

Q. He was living with you in your house?—A. Yes, sir.

Q. How old was he?—A. Twenty-five years old. He is in a state that I cannot control him; I have tried it. I have talked to him and advised him.

Q. Advised him in regard to what?—A. Not to be wild or disturb anybody, and not to drink.

Q. I do not speak of moral advice in general, but advice about this night riding?—A. I advised him if he went with the men not to hurt anybody or see anybody hurt.

Q. Did you think they went to hurt anybody?—A. No, sir; I did not.

Q. What did you suppose their errand was?—A. My idea was that they took their cannon from one place to another to shoot and make political speeches.

Q. But they did not do that after midnight, as you understand?—A. No, sir.

Q. What did you understand they were raiding about after midnight for?—A. I could not state. I was not with them.

Q. Didn't you have any belief about it?—A. The understanding I had was they were to go to one place this evening and make speeches and shoot their guns, and go to another place another evening and make speeches and shoot their guns.

Q. Did you not also understand that he rode about after midnight?—A. Yes, sir; we could hear any kind of report.

Q. I ask you for your understanding and belief; whether you tried to stop your son?—A. I did advise him, and that was all I could do with him.

Q. Did you hear of these floggings of negroes, the shooting of Tom Wallis, the flogging of Fortner, and the shooting of Frank Hayes?—A. I heard of so many things I could not remember now.

Q. Did you ask your son what had happened about these things?—A. I asked him if he was along when the man was shot away north of me, and he said he was not and knew nothing about it, and did not believe that they had done it. Rumors came to us there were men all over the county from different counties, and for a man to have a fixed opinion as to what was done would be hard to do when the whole country was aroused and afloat with rumors.

Q. Did approve of the killing of Print Matthews?—A. I did not.

Q. Did you approve of the electing of Wheeler city marshal of Hazlehurst?—A. I did not. That I had nothing to do with.

Q. Did you disapprove of it?—A. When I heard it I said it was a very strange and unthoughted occurrence; that there was no consideration taken about it.

Q. Did you approve of those resolutions that were passed?—A. I am glad that you mentioned that.

Q. Were you present at that meeting?—A. Yes, sir; I was there.

Q. Did you vote against the resolutions?—A. There was a considerable crowd in the court-house; a good deal of noise going on and the resolutions were read. There was some part of the resolution I objected to.

Q. Who was in the chair—Mr. Meade?—A. I would not say positively which one was in the chair. Mr. Meade was chairman of the executive committee.

Q. I ask you whether you approved of the resolutions?—A. No, sir; not all of them I did not.

Q. How much of them did you approve?—A. The resolutions were read and a motion made for their adoption. Major Barry rose up and objected to some of the clauses, and he was not heard much because there was so much excitement and enthusiasm going on. As Major Barry sat down I rose to put in my objections to the resolution, to my part of it, and I saw that I could not do anything, there was so much excitement they could not hear anything, and the vote was taken on a rising vote. Some would say "you voted for it, you were standing up." Well, I rose up. Part of these resolutions I would not have voted for.

Q. But you rose up when a vote was taken?—A. I rose up to make my objections to a portion of the resolutions, as I have said to many people since.

Q. You did not mean, then, in rising, to vote for the resolutions?—A. No, sir; not as they stood. I was going to put in these objections—I have remarked it frequently—to portions of the resolutions in relation to the Matthews family that I thought were wrong.

Q. But the rest of the resolution you approved of?—A. So far as the resolution was concerned that it was not right—I could not repeat the resolution now—that it was not right for one part of the people, or one set or race of people to mass against the other, I thought that was right.

Q. Did you approve of the methods which had been used to carry beat 3?—A. No, sir; not all of them I did not.

Q. What methods did you not approve of?—A. I did not approve of any violence at all. I think you can see my name signed to the certificate published in the papers. As soon as the shooting of Tom Wallis occurred I met up with some of my neighbors and friends, and asked that something should be done.

Q. Were you on that committee of twenty-four to present the resolutions to the Matthews family?—A. If I was I never knew it. I never presented them.

Q. But were you on the committee?—A. I never knew it, if I was. I never knew who was on the committee, and I never asked.

Q. Did you approve of the resolutions of your club condemning the Copiahian because it did not indorse those outrages?—A. When that resolution was offered and the vote taken I never said anything at all. I didn't vote for it or against it.

Q. But you approved of it?—A. No, sir; I do not think I would approve of it. I have been taking the Copiahian all the time, and am taking it yet. I did not think it amounted to much and did not vote either way.

Q. This is the resolution which I understand you did approve, and I want to read it to you and see that I do you no injustice:

Resolved further, That from henceforth no man or set of men shall organize the negro race against the whites in this county; and, if it shall be attempted in the future, we hereby give notice that it shall be at the peril of the person or persons attempting so to do.

That you indorsed, did you?—A. No, sir; that last part of that clause is the one I objected to, or the part I wanted to object to, but I didn't get to do it.

Q. What was it in the resolutions that you did approve?—A. I did not want it to be at the peril of anybody.

Q. I will read the resolutions over, so that you can tell me what parts you approved:

That if any person shall be injured, or an attempt made to injure him, either in person or in property, in any manner by the said relatives or friends of said J. P. Matthews, that we hereby declare that we will hold his said relatives and friends who participate accountable for the same, and that we will regard them as without the pale and protection of the law, and common enemies of society, and that we will visit upon them certain, swift retribution.

Did you approve of that?—A. That is the part I objected to, mentioning the Matthews family.

Q. What part did you object to; the whole of it?—A. I do not know.

Q. I will read the next paragraph:

Resolved, That so long as the friends and relatives of the said J. P. Matthews obey the laws and become good citizens, we hereby pledge them the protection of the law.

A. I approve of that part in regard to good citizens.

Q. Do you mean to say that you approved of a resolution of that kind? Do you not think persons whom they do not think good citizens are entitled to the protection of the law?—A. Yes, sir.

Q. Then you did not believe in limiting it to their being good citizens in the estimation of these gentry?—A. I do not understand the question.

Q. I will read it again:

Resolved, That so long as the friends and relatives of the said J. P. Matthews obey the laws and become good citizens, we hereby pledge them the protection of the law.

A. I do not know as I saw anything objectionable in that. I was willing to protect anybody.

Q. I will read the next clause:

Resolved further, That in the opinion of this meeting it is necessary to the safety of society and the welfare of all races and classes in this county that the Matthews family shall keep out of politics in Copiah County.

Did you approve of that?—A. No, I did not.

Q. "*Resolved further*, That from henceforth"—I have read that, and you said you did not approve it, of organizing the negro race.—A. I say I approve of part of that, but not the whole resolution.

Q. What do you say to this?

Resolved, That we do hereby pledge ourselves, each to the other, our lives and fortunes and our sacred honor, that we will, all and individually, from henceforth, hold ourselves in readiness to enforce the foregoing resolutions, and to meet at any time upon the call of the chairman of this meeting.

I suppose you did not approve of that?—A. No, sir; I did not approve of the whole of it; I approved of part and a part not.

Q. Here is another paragraph:

Resolved, That a committee of twenty-four from each supervisor's district be appointed by the chair to present a copy of these resolutions to the brothers and sons of the late J. P. Matthews, and that the same be published in the Copiah Signal and the Crystal Springs Meteor.

Did you approve of that?—A. I do not understand that.

Q. Of course if you did not approve of the resolutions you did not approve of that?—A. There was only a little part of those resolutions that I would have approved of if I could have them fixed up.

Q. It also says:

Resolved, That the honors heretofore worn—and worthily so—by beat No. 2, be, and the same are hereby, awarded to beat No. 3.

I understand you do not approve of the method by which beat 3 was carried?—A. No, sir; not by having violence at all; I do not approve of it.

Q. I do not see that there was anything that you did approve of in these resolutions.—A. Well, if they were fixed up——

By Mr. CAMERON:

Q. Who offered those resolutions in the meeting?—A. I declare I don't know.

By the CHAIRMAN:

Q. Do you know whether it was Mr. Dodds, who sits by Mr. Saulsbury, who offered the resolutions?—A. Honestly, I don't know who drew them up.

By Mr. CAMERON:

Q. Have you not heard since who drew the resolutions?—A. If I knew I would tell you.

Q. Have you not heard that Mr. George S. Dodds did?—A. No, sir. I recollect distinctly asking my son one day if he knew who drew up those resolutions on that day and he said he did not for certain, but it occurs to me he said that Mr. Bailey and some other young men there did it. I said that some of it was a very weak thing, and I did not think a lawyer did it.

By the CHAIRMAN:

Q. What is Mr. Bailey's occupation?—A. He is a lawyer. I don't say that Mr. Bailey did draw them up.

Mr. JONAS. The gentlemen who are here say there are some five witnesses who have been summoned and sent down, who, on examination, they find, know very little or nothing about the case, and they would be glad to have them discharged.

The subcommittee then adjourned until Monday morning, February 25, 1884.

NEW ORLEANS, LA., *Monday, February* 25, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas. The taking of testimony was resumed as follows:

URIAH MILLSAPS sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Copiah County.

Q. At Hazlehurst?—A. Yes, sir.

Q. How long have you lived in Copiah County?—A. I was born there and have lived there ever since.

Q. I suppose you are over fifty years of age?—A. Yes, sir.

Q. What is your politics?—A. I am taken to be a Republican.

Q. You have been since reconstruction?—A. Yes, sir.

Q. Have you held any office in Copiah County?—A. Yes, sir; I have held the office of circuit judge there.

Q. Did you get that office from the Republican party?—A. Yes, sir.

Q. By election or appointment?—A. Appointment.

Q By whom?—A. I was first appointed to that office by Governor Ames, and afterwards by Governor Alcorn.

Q. Both of them were Republicans, were they not?—A. Yes, sir; both Republican. I held office during the whole of the time while the Republicans controlled the State, a period of seven or eight years.

Q. And the county of Copiah was in your judicial district?—A. Yes, sir.

Q. How long have you known the family of J. P. Matthews?—A. I have known them as long as I can remember. We lived in the same neighborhood. I have known the Matthews family ever since I can remember. I knew Print Matthews, his father and his grandmother, and the whole family.

Q. Do you know anything of a vigilance committee ordering the Matthews family out of Copiah County at any time; if so, state?—A. I just can remember something of that kind. It was a long time ago; I was a small boy. I remember the circumstances, but I was quite small, and I do not know anything about it, except just simply knowing that such a thing transpired. What it was about I do not remember; I do not know that I ever knew.

Q. That was against the older members of the family?—A. Yes, sir. I do not know whether Print Matthews was born at that time, or not. I will say this, that I remember the circumstance and Print Matthews's father was defended by his neighbors. He was ordered to leave the country by what was called the "regulators," but his neighbors in the neighborhood where he lived, rose up and went out and met the "regulators," and defended John R. Matthews, the father of Print.

Q. What charge was made against him?—A. I do not know.

Q. That was long before the present organization of parties?—A.

Yes, sir. I differ with some of the witnesses here as to what was really the difficulty. I have an impression that an uncle of Print's, Shack Matthews, was having trouble with the Pierces, a family of people who lived in the eastern part of the county, having some difficulties, probably fights, and the "regulators," their opposition was towards Shack, but in the excitement they included the whole Matthews family. That is my impression, although I may be mistaken about it. I had the idea that on account of the difficulty they had with Shack Matthews they included the whole of the Matthews family, and ordered them all to leave, every one.

Q. Was the contested-election case between J. P. Matthews and J. C. Martin, claiming the office of sheriff, tried before you while you were judge?—A. Yes, sir.

Q. How was that decided; do you remember?—A. The jury found a verdict for Mr. Matthews in that case, contrary, as I thought, to the law, and I granted them a new trial, and then it was compromised before the next court.

Q. Do you know whether or not there were any threats made by J. P. Matthews against you, and communicated to you during that trial on account of your action?—A. I would say that I do not know that I ever heard Matthews say it; Matthews never said anything to me.

Q. Did you hear that from a source you thought reliable?—A. Yes, sir.

Q. What was the nature of those threats; do you recollect?—A. Well, Judge Mayes told me that Matthews had threatened to blow my brains out several times during the trial on account of decisions, and others; I do not remember who all. I paid no attention to it. Matthews was this kind of a man: he was liable to make extravagant remarks, which he did not mean, very often simply to effect something.

Q. Was the man of violent passions?—A. I do not know hardly how to describe him in that particular. I do not know that I ever remember of Mr. Matthews having a fight, although he was regarded as a violent man.

Q. As a violent talker?—A. Yes, sir; as a violent talker. It was his way: he was apt to make extravagant remarks and threats, and acting in such a way as to influence people. The Matthewses were all known to be men of pluck—men who were known to be good fighters, and would fight under any circumstances, and a threat from him sometimes would intimidate a man, and he was very liable to conduct himself in that way.

Q. To make threats?—A. Yes, sir; to make threats.

Q. Sometimes of killing or shooting and whipping?—A. Yes, sir; sometimes. He was accustomed to make these remarks for effect. I do not think he had any idea, however, of——

Q. Who was Judge Mayes?—A. A lawyer in Hazlehurst.

Q. Of good reputation and character?—A. Yes, sir; as good a reputation as any man in the county. He was a brother-in-law of Mr. Matthews.

Q. He gave you that information as a friend?—A. He just spoke of it. He understood Mr. Matthews as I did. I never paid any attention to it myself.

Q. What is the general character of the Democratic people or the people of Copiah County? Are they a law and order people, or are they the reverse? You have lived among them a long time.—A. I think a majority of the people of Copiah County are in favor of law and order.

Q. Is it a large majority?—A. I think so. I think a large majority are in favor of law and order.

Q. Is it not, generally speaking, a law and order community, with such exceptions as are usual in the country; I am speaking of the white people?—A. Well, I look upon Copiah County as being one of the most conservative counties in South Mississippi. There is more of the conservative element among the people there than in the surroundings of it. There has been less lawlessness and violence in the last fifteen or twenty years, and more of a disposition to be governed by the law in the conduct of elections, and in all other respects, than in any adjoining county. For instance, in 1875, when the revolution took place in the State and the Republican party was overthrown, in the adjoining county of Hines there was a great deal of violence in the Clinton and other riots. In Claiborne and other counties, the leading white Republicans left the county for a time, and in Jefferson County it was the same. In Copiah County, I never heard that it was not a fair election there; they obeyed the law and continued to do so, and there was never any complaints against the people of Copiah County until, I believe, two elections ago. At the election previous to the one in 1883 there was a box shot into, one box only, and some of the Independents claimed that at another box there was some fraud in the count. Up to that time I never heard of any violence or overriding of the law in the elections. Then I had other evidences which convinced me there was a large conservative element in Copiah County among the whites, in this, that at the election in 1879, I believe it was, there was a full Independent ticket in the field. Taking Mr. Matthews now as being a Republican, and popular with the negroes, that he would get the negro vote, the Independents that ran with him on the ticket would run ahead of him from 400 to 500 votes. I took them to be white votes, because I did not suppose any man would get more negro votes than Matthews, and that a good Independent would carry from 400 to 500 more white votes, who must have been conservatives. I set down any man who would vote the Independent ticket as a conservative man.

Q. Did you or not consider Mr. Matthews a conservative man?—A. Well, Mr. Matthews was a Republican.

Q. But you say that conservatives, and quite a number of them, did not vote for him.—A. I mean many white people did not vote for him who voted for the other Independents. I take it that any Democrat who will vote an independent ticket is not wedded to Democracy, and I judge from the number of white men that voted the Independent ticket that there is not a large number of men who are wedded to the Democracy, but on a fair show would vote against them.

Q. But they are not Republicans in national politics?—A. I could not say about that. They are willing to vote against the regular Democracy. I call a sound Democrat a man who will vote for the nominee under any and all circumstances. A man who don't do it I call him a conservative man, or one who was not wedded, but on a fair show would vote the other way.

Q. What is about the state of political opinion in Copiah County?—A. I have just stated that. I say I think this. In Copiah County (I give it as a matter of opinion) there must be seven or eight hundred white men there who have generally been in the habit of voting the Democratic ticket who on a fair show would vote the other way—what I would call a fair show; and I think there is a large number of negroes, good, thinking men (we have got a good many negroes in Copiah County who are prospering and beginning to accumulate some property, who

are thinking men to some extent), I think there is a large number of them, who desire a party composed of this conservative white element, and this is different from what we have had it there—a different organization from what we have been having there, different from what we call the Matthews party, and what is known there as the straight out Democrats, the Bourbons. I think there are at least seven or eight hundred negroes, and seven or eight hundred whites that are not satisfied with the state of parties there, although I believe the negroes are very much devoted to the Republican party. As between a Republican and a straight-out Democrat, of course it would be very difficult to get them to vote the straight Democratic ticket. But still I think they would be dissatisfied with the Matthews ticket; they had lost confidence in his sagacity. I want to give you an idea of the circumstances why they were dissatisfied. Mr. Matthews first appeared in Copiah County as candidate for sheriff in 1865 or 1866, when the negroes did not vote. Then after the constitution was formed, and submitted to the people in 1868, I think it was, he appeared again, I remember, at that election as challenger at the polls. That is the first time I heard of him after he ran in 1866. He then was appointed by Governor Ames sheriff, when Ames became military governor. Under that military organization an election was held, and the constitution was resubmitted, after the objectionable clause was stricken out by Congress; it was resubmitted, together with an election for the State officers for the State government. We were under the military then. Mr. Matthews was a candidate for sheriff then at that election, and was elected and held his office two years. At the next election he was beaten and contested the election.

After the contest he compromised it in some way and gave up the office to Martin, his opponent, and retired into Lincoln County and remained there until the time for the next election came on to announce candidates. He returned then to Copiah County to announce himself again and was elected. He ran then every time from that on, and that was the only time that he was elected, except by the military, during the whole sixteen years he was candidate for sheriff, except the last time, when his brother was a candidate, and he never won an election except it was under the military. So that a great many of the negroes had begun to lose confidence in his sagacity. They had great confidence in him as a man and as a leader. He was peculiarly capacitated for a leader. He was a bold, daring man, and he exhibited his boldness in such a way as to give the negroes confidence in him as a leader. I think Mr. Matthews was a brave man, and his conduct and his expressions and all were of such a character as to give the negroes, particularly, confidence in him. I do not think there was ever a man in Copiah County in whom the negroes had more confidence than they had in Mr. Matthews. I never regarded him as an instructive man to speak of. He did not enlighten; he was not a man trained intellectually; he was not an argumentative man at all; he would make remarks in his speeches, sensational remarks and threatenings and abuse, boldly, in such a way that it would create a sensation or excitement among the people, white and black. I never saw him do it, but I have heard of his doing this: He would get up and speak in a crowd where there were whites and blacks all together, and draw out his pistols and lay them on the stand and say, "Now here, I am going to speak, and I am going to have a fair show, and if anybody interferes, here is my pistol," or something of that sort. He was a man of that sort of character.

Q. He always went armed?—A. I do not know; I could not say about that; I think he did, though. He was that sort of man, although I

never knew Mr. Matthews—with all the talk that you hear about his being a violent man, I cannot call to mind a single fight that he ever had except the fight with Thompson, when he struck him once.

Q. Was he or not a dangerous character and supposed to be armed; and was not that sufficient to keep him from having a fight?—A. I knew the Matthews family and they were always regarded as men who would fight, top and bottom, all the way through. They were regarded as plucky, brave men.

Q. And supposed always to be ready and equipped for a fight?—A. Well, I cannot say about that. I do not know. I think the people generally thought they were.

Q. He was a man then who was in the habit of using violent language both in personal conversation and in his speeches?—A. Yes, sir.

Q. And in the habit of carrying arms, and generally supposed to be ready for a fight to back his opinion?—A. I do not suppose Mr. Matthews intended to carry out these threats; he only meant them for effect.

Q. But he was known to be a fighting man?—A. Yes, sir.

Q. And generally supposed to be always armed and ready?—A. I think the people thought so.

Q. Was he not a sort of bulldozer in politics too?—A. I always thought he would have made a good Democrat in that respect.

Q. Did he possess first-class qualifications to have made him a Democratic bulldozer in Copiah County?—A. I think he would have made a good one.

Q. Do you not think he was a good one in the party in which he remained?—A. Well, I tell you he was that sort of a man, and carried things a good deal in that way.

Q. By violence and threats; by threats or violence?

Mr. CAMERON. The witness has not said that he carried things by threats or violence.

The WITNESS. I have told you how he was. He was a man who was liable to make extravagant remarks and say things which I myself paid no attention to. All this talk he had about me at the time during that trial I paid no attention to, because I knew he had no idea of doing what he said he would do; that it was done simply for effect, and it had no effect on me. But it tended to excite the people.

Q. Are not such threats calculated to have an effect in a community like yours?—A. Oh, yes, sir. I say that he was an indiscreet man—always very indiscreet.

Q. And was it not his general reputation that he was prepared to fight for his remarks?—A. I think it was. I believe the people there, everybody, thought he would fight, and they were not disposed to attack him.

Q. Because of his reputation?—A. Because they thought he would fight; and he had four or five brothers, and they were all fighting men.

Q. They made a pretty strong crowd altogether?—A. Yes, sir; and you would very seldom find anybody who would want to attack them.

Q. Was the last election in Copiah County a contest between Republicans and Democrats; what were the issues involved?—A. I had better tell you how it was, and then you can decide whether it was Republican or Democratic yourselves. It was this way: The way I understood it, Mr. Matthews was supposed by the people there (and I have no doubt there was a good deal of truth in it) to control the negro vote of the county. The Democrats always believed, though, that Mr. Matthews could carry about 2,200 negro votes. Mr. Matthews, in the be-

ginning of an election campaign, it appeared to me—I am only giving you what I thought—it appeared to me that he would say to Democrats, "Now, here are thirty offices to be filled in Copiah County. I do not want anything but the sheriff's office. I am willing to give you and you may take 29 Democrats, and I will put them on the ticket, or have them put on, and you give me the sheriff's office, and I will bring to your aid these 2,200 negro votes, and you bring to my aid to elect me sheriff all the white votes you can bring." For instance, there was one man on his ticket this last election who said that he was a straight Democrat and was going to vote the straight Democratic ticket, and had been in the Democratic convention as a candidate for nomination for the office of treasurer. Mr. Matthews took him up, and I heard him, Mr. Matthews, say in a speech that here is now a straight Democrat on my ticket that is going to vote the straight Democratic ticket, but these others claim to be independent Democrats, most of them. Well, it appeared to me that that sort of a contract was made; here, I will give these 2,200 negro votes for your white votes, and between us we will elect the ticket.

Q. It was a contract that Mr. Matthews made for the sheriff's office then?—A. It appeared so to me. I remember this. During the campaign I had a good deal of talk with the Independents. On one occasion an Independent came to me and says, "Now, you ought not to go back on this ticket. You are an old line Republican, and you ought to vote this Independent ticket," and in a short time afterwards I heard him tell a Democrat that he ought to vote the ticket because it was the best Democratic ticket. It seemed to be a fish-trap made to catch one going up or down, a two-edged sword.

Q. Was it a mere contest for county offices?—A. Yes, sir.

Q. A mere arrangement by which the county offices were to be distributed and bargained out?—A. That is the way I thought. I did not think Mr. Matthews was the man, under the circumstances, to be on the ticket, that is, the Matthews influence. I thought his name being on the ticket was injurious to a good Independent vote, or to the Republican party; that it was unpopular among the whites; and this conservative element was used by him until they would not vote the ticket under Matthews.

Q. Did you know all the candidates on both tickets?—A. Yes, sir.

Q. What was the character of the candidates on the Democratic ticket?—A. The character of them, I think, was good.

Q. Was it a good ticket?—A. Yes, sir; a good ticket. They were conservative men.

Q. And reputable citizens?—A. Yes, sir; it seemed to me that the Democrats in the beginning had this idea (I just give you my opinion, how it looked to me); they had this idea in the beginning, that we wanted to break down this Matthews influence; that was their object, this Matthewsism, as they called it. So they said, we will put out a conservative ticket, we will select the best ticket we can get, the one most popular with the negro; and they did succeed in putting out a ticket which, I think, was personally popular with the negroes. It appeared to me so.

Q. Did it get some of the negro votes?—A. Well, I thought so. If the election was fairly counted they certainly got a good many.

Q. Did you know some who were satisfied with the ticket?—A. I know a good many who said they were. A great many negroes voted a split ticket. But there were many who voted for men on each ticket, a split ticket.

Q. What was the character of the Independent ticket?—A. There were a good many very clever men on it; men that I like myself very much.

Q. As a whole how did it compare with the other ticket?—A. I do not know that I had any particular objection to the Independent ticket, except that I thought Mr. Matthews was an injury. I thought they were misled and misguided, and did not understand the situation, all of them.

By the CHAIRMAN:

Q. Who were misguided?—A. The Independent men I thought were deceived as to the temper of the people. I do not think that ticket could have been elected at all.

By Mr. JONAS:

Q. You do not think it could have been elected?—A. No, sir; not under the circumstances.

Q. How did you vote at that election?—A. I voted against the Independent ticket. I voted the straight Democratic ticket.

Q. Why did you?—A. Because I thought the Independent ticket as constituted there was an injury and I wanted to see it beaten. As I told you before, Mr. Matthews never could run up with a good Independent. He was a burden to the Independent movements. As I told you before, he would run sometimes as much as three or four hundred votes behind a good Independent. Among the whites he could not carry the full Independent vote, and I thought it was a drawback, and had been all the time.

By the CHAIRMAN:

Q. You thought what was a drawback?—A. Having Mr. Matthews on the ticket among the whites, and my idea was to build up a party among the whites, to get a strong white influence into the Independent movement, and I thought he was a drawback in that regard. And my reason for saying so was that he always ran behind a good Independent. I stated that Mr. Ainsworth ran three or four hundred votes ahead of him and Mr. Ellis got 100 votes at one box ahead of him, and Mr. McNeil ran ahead of him, and if an Independent would run on the ticket once with Mr. Matthews, it would destroy his influence, and the next time he could only run just about even with him. There was a prejudice against Mr. Matthews among the whites that could not be overcome. I saw that it was an impossibility, that there was no use in attempting to build up a party under his lead among the whites, and that was my objection to it. I thought it was simply crushing us out there, and I opposed it for that reason as a matter of policy.

By Mr. JONAS:

Q. Do you know anything of the circumstances of the killing of J. P. Matthews?—A. No, sir; I do not know anything about it; I was not there. I was at Hazlehurst that day, but I was at the west box and he was killed at the east box.

Q. You do not know anything about it, then?—A. No, sir; it was done before I knew it.

Q. On the whole, what sort of a politician was Mr. Matthews; did he follow politics for principle, or did he make it a trade, he and his family?—A. I thought I had told you about that.

Q. Well, you did pretty well, but I wanted to make a little summary of it.—A. I looked upon Mr. Matthews in this way, sir. As I say, he

was a very bold, daring man, and when he was a candidate for office he never left any stone unturned to succeed; he availed himself of everything; all influences and everything that he could for success. I always thought that he was not confined to principle; that he was not a consistent man. He did not appear to me so.

Q. Working or trading for his own benefit or profit?—A. It appeared to me always that Mr. Matthews would avail himself of anything. For instance, I will relate a circumstance. I remember a few years ago (he was a merchant, and a supply merchant), a few years ago there was what was called a strike. There was a short crop that year, and the mortgage men of the county were a good deal oppressed, and they entered into a combination called a strike, to bring the merchants down in their prices. They charged high prices for meat and provisions on credit. So they entered into what was called a strike and refused to deliver their cotton to the merchants unless they would agree to give such a price for the cotton—a pound of cotton for a pound of meat, or something of that kind, and canvassed the county. I remember that Mr. Matthews joined in the strike, he being a merchant and supply man, to canvass the county. It was just before the election, and it struck me that he was doing that for effect to gain votes. It appeared to me so, but I do not say it was so, I only just judge that; that was my opinion about it. And I always found him taking advantage of everything of that sort to gain votes and build up his party and to have success; anything that came in the way by which he thought he could gain votes he always availed himself of.

Q. Do you think the influence of Mr. Matthews and his family was conducive to good feeling and peace between the two races of the county of Copiah; was it used for the purpose of promoting it?—A. As I said before, under the circumstances we were in there, in Copiah County, I thought it was detrimental. Take it on what is called the color line, and I thought Mr. Matthews was a color liner. I thought if there was ever such a thing as a color liner in Mississippi Mr. Matthews was undoubtedly one of them. His whole conduct and life showed that, and the people at least believed it, and I do not think it was possible for such a thing as that to succeed. In fact, I saw it was plain, and the two elections previously had demonstrated the fact that that ticket could never succeed.

Q. Without regard to its success in politics, was not such a party calculated to estrange the two races in the county?—A. Well, I said this, during the campaign (I was called on several times to express an opinion), that I did not think the Independents attempted to educate the colored people as they should. I thought under the circumstances and the condition we were in here in the South that it was proper and right that these Independents and Republicans should go on to explain to the negroes our condition, and tell them, and educate them, explain the condition of affairs here in the South, and the dangers and the evils that were attending what is known as the color line. I never heard Mr. Matthews, or any of the Independents, undertake to make any explanations of that nature to whites or blacks. This thing came on them like a clap of thunder. They did not, any of them, believe it—all this beat 3 mob, and raiding, and all the troubles that arose very suddenly came on the Independents like a clap of thunder. They did not suspect it; they were misguided, or if they did, they did not attempt to explain it.

Q. Do you think that situation was caused by an attempt to draw a

color line?—A. Yes, sir; I think so. That has been the case everywhere in the South, as I understand it.

Q. By drawing the color line you mean to array one race against the other?—A. Yes, sir. I do not say that it was a race line; I think, perhaps, the negro could be as much influenced by his devotion to his party as he could by his devotion to his race. I think the negro is almost instinctively Republican, and if you wish to array him a man could play upon his passions and prejudices on account of his devotion to his politics as much as he could on account of his devotion to his race, and could array him as easily on that, mass them, as they say. Negroes could be massed on that idea as well as they could, perhaps, on the race line.

By Mr. CAMERON:

Q. Have the Democrats ever attempted to draw the color line in Copiah County or Mississippi; have they said in their papers, and have their public speakers said that this was a white man's government and must be ruled by white men, or anything to that effect?—A. Yes, sir; I have heard such remarks as that often.

Q. Did you ever hear any Republican say, whether he were white or black, that it was a black man's government and must be ruled by black men?—A. No, sir; I never heard that.

Q. Then which party, in your opinion, has endeavored to draw the color line in Mississippi the more strongly?—A. I do not know hardly how to answer that. That is generally conceded, however. It is generally said, you know, that the white people never would permit the black people to rule; that they would not do that. But I would like to make a remark there explanatory of that, which is this: That while it may be true that the whites are as much to blame (and I expect they are) in regard to these difficulties between the races as the other side, yet we are not in a condition in the South, the Republicans are not, to contest that question.

Q. Why?—A. Well, I thought that was generally known all over the South here. I do not know a single county in the South or in Mississippi that has elected a Republican ticket. I do not know of a single Congressman from the South who is in Congress by Republican votes from a single State in the South. Now, how does that happen? There are many places where the Republicans are in a majority.

By Mr. JONAS:

Q. How about Mr. Jeffords in your State [Mississippi], and Mr. Kellogg in this State [Louisiana]?—A. There may be a few Congressmen, but a very few. But I do not know a county in Mississippi which voted the Republican ticket.

By Mr. CAMERON:

Q. Are there counties in Mississippi in which, in your opinion, the Republicans are in a majority?—A. Yes, sir.

Q. Are they in a majority in the State?—A. Yes, sir; taking the negro and counting him as a Republican.

Q. Well, taking those whom you believe to be Republicans, the Republicans are in a majority in the State, in your opinion?—A. Yes, sir.

Q. How large a Democratic majority was counted in your State at the last State election?—A. I do not remember; it was pretty large, though.

Q. How do you understand that that majority was obtained? You

can state in general terms.—A. I do not know; I never have had any information.

Q. You have given your opinions very freely on some subjects, and you may give your opinion on that subject.—A. Well, if I had to give an opinion on that I would say that there must have been something wrong in some way in the count.

Q. Was it not obtained by bulldozing and cheating in your opinion?—A. I do not know that there was any bulldozing. I never heard of any or any counting out really, but then I always believed there was. In our county I think it was a fair election, but in the State election there was a box shot into.

Q. By which party was that box shot into, do you understand?—A. I never heard who did it, but the supposition was it was done by some of the Democrats. I will say this, though, for Copiah County, about that box, that I do not believe it was a regularly organized system with the Democrats to do so. I think they wanted a fair election.

Q. Was that a box at which there was a Republican or a Democratic majority?—A. A Republican majority. I think, however, that the Democrats in Copiah County intended to have a fair election, at that election.

Q. What year was that?—A. That was in 1881. So far as Copiah County is concerned, as I said before, I think it has been as a general thing a fair election. There has been very little fraud or bulldozing in that county. I expect it has been one of the fairest counties in the State.

Q. How did the vote stand as between the two parties in Copiah County in 1881 as counted?—A. It was very close. In 1881 King carried the county for governor; I think he got a majority of 7 votes out of that box. I do not remember whether any other Independent was elected or not in that election King got a majority vote.

Q. What majority of Republican votes was it understood were polled at the box that was shot into?—A. It was a considerable majority; it was not a very large box; 50 or 75, perhaps, majority.

Q. If it had been counted was it enough to change the whole result in the election of county officers?—A. I never thought so. I think McNeil and whoever was running with him—I am satisfied they would have been elected if that had been counted.

Q. They were running for the legislature?—A. Yes, sir; they were the two candidates for representatives, and I think would have been elected, but it would have been very close as to Matthews. I will give you my opinion: I thought he would not have been elected even if that box had been counted, but he thought he would have been, but I just judged myself that he would not have been. It would have been very close.

Q. Did any of the Democratic candidates refuse to accept their offices, notwithstanding that box was shot into?—A. I never heard of any.

Q. Did you ever hear of a Democratic candidate for office in Mississippi refusing to accept his office because bulldozing and fraud had given him an apparent majority?—A. No, sir; I never heard of anything of that sort.

Q. You can state what the character of the canvass in Copiah County last fall was.—A. Well, I will tell you how I viewed that canvass last fall. As I said a while ago, I thought, without any Democrat particularly telling me so, that their intention was to put out such a ticket as would win the colored vote, men who are personally popular with the negroes, and they did put out such a ticket, as I thought. They went

to work in the old-fashioned way of electioneering, going around to the colored people's houses, to their churches, meeting them on the byways and highways, and electioneered with them in the old-fashioned style, attempting to win it, you know, by a plain electioneering on account of the popularity of their candidates. That style of electioneering continued on until the excitement got up, and it seemed to me that they were making some headway in that regard, making inroads in the ranks of the other party on that plain style of election. Both sides were working hard, doing all they could. The Democrats seemed to take that conservative course at first.

Q. What did they do afterwards?—A. Well, this excitement arose. This mob, as they called it afterwards, came up and even that, from what I knew of the matter, I could not say that that was an organized system; on the contrary, I did not think it was, but then it was only a mere matter of opinion.

Q. About how many did you understand were engaged in the mob, as you thought?—A. I did not think there were over one hundred or even that many. Some thought there were one hundred and fifty.

Q. Do you know, from report or otherwise, some of those who were engaged in it?—A. Yes, sir; I expect I knew all of them. I am well acquainted there.

Q. You can state what the character and reputation of those men who were engaged in that mob is in your county, as a general thing.—A. Well, that is this way: There were a great many young men in that mob, they were principally young men, I think, that have a good character there. It is like it would be in almost any community where an excitement gets up, and a great many young fellows would go in for fun, you know, and amusement, and be drawn into it that are gentlemen of good character and do things which they would regret; there would be things done which they would regret. I think there were a good many young fellows in that raid who had good characters, who were honest, paid their debts, attended church, and were generally moral young men. But the excitement was great, and they fell into line with the mob going along, thinking that perhaps nothing would be done, except perhaps having a little fun, with no idea of killing, a good many of them; just drawn into it by degrees.

Q. You can state whether or not the older, and as you say more conservative, Democrats attempted to put down that mob; and, if so, what they did in that direction.—A. Now, as to that I do not believe that around Hazlehurst there where we live that the Democrats knew anything of that until after it was gotten up; I do not think so. I was present, I remember, when a company came from beat 3 up there for the cannon; I was present when they applied for it, and the man who held it refused to let them have it. They said they wanted it to carry beat 3 and beat the candidates there for supervisors, and they were going to have a speaking there; had made an appointment for four or five speeches in beat 3, and wanted to use the cannon there for demonstrations. Mr. Ellis, who had charge of it, said I don't want you to take the cannon down there. They were discussing it as a canvass. They hunted for speakers. They got Joe Bailey and some other young lawyers to go down there and make speeches. When they got ready to start they said, we will take some of the crowd with us to have a good audience, and as they went along during the 12 or 15 miles the young fellows fell in.

Q. You understood they were armed generally?—A. I did not see them myself, but I understood afterwards they were armed. Of course

you know their idea was that they wanted to make a big noise and fire off cannon there, and they had one mode of electioneering and it had always been so for ten or fifteen years. The Democrats always shot off that cannon in the campaign. I do not know what it was for, hardly, except to make a noise and demonstration.

By the CHAIRMAN:

Q. Print Matthews was not on this ticket this year?—A. No, sir; but his brother was.

Q. Was he not a man of good character, and popular and highly esteemed—I mean Leon Matthews?—A. It was understood this way; I will tell you how that was.

Q. I ask you whether he was not a man of good character?—A. There was no difference between him and Print.

Q. But was he not a man of good character and popularly esteemed in the county apart from politics?—A. I could not say that about him with the whites.

Q. Now, when the Republican party proper was running prior to within the last few years, was the line largely drawn in fact—I do not mean with the Republicans, to put it on that ground, but was it not drawn in fact—between the races?—A. Yes, sir.

Q. Were there not very few whites who voted with them?—A. Yes, sir.

Q. But at that time you voted with the Republican party?—A. Yes, sir.

Q. This last year were there not 500 or 600 whites, formerly Democrats voting with the Independent party?—A. I do not think so.

Q. Well, were there not a large number, at any rate?—A. There were a good many, but I do not think there were so many as that.

Q. We have heard many here who said they were Democrats and supported this ticket last year. Now, without questioning the number, were there not any more whites voting with this Independent ticket last fall and supporting it than have acted previously with the Republicans?—A. I expect there were.

Q. Then, so far—without regard to whether that was a prudent way to vote a party that Matthews was in—so far that tended to destroy the color line when they got up a party where you say some of the negroes were going to the Democrats and several hundred whites were coming to the Independents?—A. Yes, sir; the tendency was that way to that extent.

Q. I understand you to say that Mr. Matthews was not a good leader; I understood that?—A. I want to make myself fully understood on that point.

Q. I understand you, I think, fully. But I want you to answer the question first. Was not the Independent ticket (I am not speaking now of Leon Matthews, whom I understand you have given an opinion of) generally composed of men of respectable, worthy character?—A. McNeil and Bridewell are good men. I do not think I can call to mind any of the Independent candidates, but so far as I know——

Q. So far as you knew they were?—A. Yes, sir; the county ticket.

Q. McNeil and Bridewell were on the legislative ticket?—A. Yes, sir; I am speaking of the county ticket.

By Mr. CAMERON:

Q. Mr. Enochs was a candidate for chancery clerk. What kind of a man was he?—A. He was a good man.

Q. And Mr. Barlow?—A. He was a very good man.

Q. And the candidate for treasurer, Mr. Haley?—A. He was a straight Democrat. I thought he ought to be a good man, or ought to have been considered so.

Q. How about the assessor, Mr. Terry?—A. Well, he is a good man.

Q. And the candidate for coroner and ranger, Mr. Akin?—A. Yes, sir; Mr. Akin is a very clever fellow.

By the CHAIRMAN:

Q. Then they had a movement in which they had put up a worthy and respectable ticket, and which had been joined by a considerable number of white men who had formerly voted against the party to which the colored men had given their adherence in the past?—A. Yes, sir.

Q. That was the fact this year?—A. Yes, sir.

Q. And, on the other hand, you think some of the colored men were prepared to vote the Democratic ticket?—A. Yes, sir; some few.

Q. And I understand you, also, that the colored men were moved usually (I am not speaking now of this election alone, but of elections generally) by an appeal to them as Republicans?—A. Yes, sir; I think they were.

Q. More than by any race feeling?—A. I think that was a stronger feeling with them.

Q. You do not think the colored men said "we band ourselves together to vote against the white men because they are of a different race," but they said "we vote with a particular party, which for something which has happened in the past, we like." Now, do you think that a condition of things such as you have described in your last answer warrants such proceedings as have been detailed to us as having taken place in that county to carry the election?—A. No, sir; I could not say that.

Q. You do not approve of this going to men's houses after midnight and the various other acts which have been described here?—A. No, sir.

Q. The Democratic ticket which was elected was composed, I understand you, of the respectable and conservative class of persons which you say make up the body of the Democratic citizens of that county?—A. I thought so.

Q. Did any one of those persons, to your knowledge, come out and denounce the proceedings which were going on and protest against them as they were going on?—A. I did not hear it. It was only a day or so before the election when it took place.

Q. Did any of the persons elected refuse to take an office because of these acts?—A. No, sir.

Q. Has there been any inquiry or investigation of the matter by any of the public authorities of Mississippi, so far as you know, by the legislature, or any other body of men?—A. No, sir; not that I know of.

By Mr. CAMERON:

Q. Have you ever known the Republicans or Independents to go around electioneering with shot-guns?—A. No, sir; I never did.

Q. Do you justify the killing of Mr. Matthews?—A. No, sir.

Q. Did you think it was a proper thing for the common council of Hazlehurst, after the killing of Mr. Matthews, to elect the man who killed him town marshal?—A. No, sir; I thought that was unfortunate; not proper.

Q. You would be willing to use a stronger term than unfortunate;

wouldn't you think it was improper?—A. Yes, sir; I think it was improper.

Q. Do know whether any Democratic newspaper published in the county of Copiah gave an account of the killing of Tom Wallis, the shooting of Frank Hayes, the shooting into the negroes' houses, and the various outrages which it is said were perpetrated during that campaign?—A. No, sir; I do not remember ever to have seen anything of the sort; I do not remember it.

Q. How many Democratic papers are published in the county?—A. Three, I believe, are called Democratic papers.

Q. They are weekly papers?—A. Yes, sir.

Q. Did you usually see them?—A. Yes, sir.

Q. And you do not remember seeing any account of it?—A. I never saw any account that I remember. It might have been that the Copiahian mentioned the killing. I think it mentioned the killing of Tom Wallis.

Q. Was there any mention of it in the Signal?—A. No, sir. The Copiahian was rather regarded, I think, though, as an Independent paper; some thought it was.

By the CHAIRMAN:

Q. You spoke of certain things which were imputed to Mr. Matthews, such as being persistent in pursuing his political ends, pulling every string, or some such phrase you used. Do you not hear that imputation constantly made against political leaders all over the country, great and small?—A. Yes, sir; a good deal.

Q. It is the common belief of people, about the leaders of their political opponents, is it not?—A. Yes, sir; a good deal. But I want to be understood on that question, in regard to my opposition to Mr. Matthews. I put it on a different ground. I say that there was a large Independent element there, or conservative element, among the whites that Mr. Matthews antagonized.

Q. It would have succeeded better under some other leaders?—A. The Independent party, I think, would have organized better if he had gotten out of the way. He had run there for sixteen years.

Q. How many white Democrats, in your judgment, would have joined the Independent party if Mr. Matthews had not been in it?—A. A large number. I think there are 700 or 800 white men there not wedded to the Democracy, and I think those——

Q. I want to get at the particular facts about the number. Your estimate is that if it had not been for Mr. Matthews being the leader of this movement there would have been 700 or 800 men who would have joined the party?—A. I will not say that exactly.

Q. You think there were as many as 600?—A. Well, it would have been much larger.

Q. That is very indefinite?—A. I take it that the men who voted for Ainsworth, if they had been in, and how many more I do not know. I know there was a large element of whites who refused to go into this campaign and vote the Independent ticket on account of that man, whom I could name.

By Mr. JONAS:

Q. Has there been any term of the circuit court or any grand jury organized in Copiah County since the election?—A. No, sir.

Q. When is the next term?—A. It is in April.

By Mr. CAMERON:

Q. Is it usual to have offenders arrested and have an examination before some examining officer, a justice of the peace or some other officer, and bound over, when the grand jury is not in session?—A. Yes, sir; that is the proper way to do it. It would be to have the party charged brought before some committing magistrate to investigate the matter.

Q. Has that been done, to your knowledge, in these cases?—A. This man Wheeler was bound over by the justice, but I understood that he made no investigation, which I think was improper. I think he ought to have made an investigation of the facts.

Q. How was it with regard to the persons who are alleged to have committed the other offenses in the county?—A. As to the killing of Tom Wallis, I never heard of any investigation as to that; and as to the whippings, I do not know that I heard of any investigation of them. There was one case where a party was brought up, I think.

Q. That was for burning a house?—A. No, sir; another case where a negro was shot and the party was arrested, I think.

Q. Is it your understanding that he was bound over by the committing magistrate?—A. I do not know how that went off; I disremember.

By the CHAIRMAN:

Q. Are capital offenses bailable in your State?—A. Murder is not.

Q. Is setting fire to a house in the night-time a bailable offense?—A. I think so.

Q. Is that not arson?—A. Yes, sir.

Q. Is not arson a capital offense?—A. I think that is a bailable offense in Mississippi. I could find out by looking at the statute of the State—no, I am not certain, I believe it is not a bailable offense.

By Mr. SAULSBURY:

Q. The mere fact that a man is charged with arson or murder is no proof that he has committed arson or murder, is it?—A. No, sir; the mere fact that he is charged with it is not.

T. J. WHARTON sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Jackson, Miss.

Q. Are you now on the bench?—A. Yes, sir.

Q. Does your judicial district embrace Copiah County?—A. Yes, sir; it embraces the counties of Copiah, Hinds, Madison, and Yazoo—the ninth judicial district.

Q. Are you well acquainted in the county of Copiah?—A. Pretty generally. I have resided for more than forty-five years in the adjoining county of Hinds. In the fifteen months I have been on the bench in that district I have become generally acquainted with the people.

Q. Have you experienced any trouble in the discharge of your duties as a judge from the manner in which the grand juries are manipulated in Copiah County?—A. More, sir, than in all my district besides.

Q. What is the character sometimes of the grand juries; I do not speak of all the grand juries, but the character of men who are sometimes selected and placed upon grand juries there?—A. The grand juries are selected by the board of supervisors, as the committee are aware, probably. The court in Copiah County met on the fourth Monday in October, 1882, which was the first term at which I presided, and the week following my appointment, on my arrival in town, at Hazlehurst, on the morning of the opening of that term of court, before daylight, I was met by

very many prominent citizens of the county, men whom I had known long, and informed that the grand jury, or body of men who had been selected by the board of supervisors as the grand jury for that term of court, were very obnoxious, and had been selected with a special reference to the institution of political prosecutions, as it was stated to me, against the best men of the county. They appealed to me to know if there was no means of correcting that abuse of power as exercised by the board of supervisors in the selection of that grand jury. There was a large number of people assembled in the court-room at the organization of the court. The first judicial act was the organization of that grand jury. Referring to the statutes regulating the duties of grand jurors and prescribing exemptions, disqualifications, and privileges, I inquired of the body if any of them fell within those classes thus enumerated. Several did, three or four probably, such as those who were overseers of public roads or had been within one or two years before that term of court, or keepers of public ferries, public mills, and public gins, teachers of public schools, physicians engaged in the actual practice of their profession, constituting a very considerable class, or who had served upon the grand jury within one or two terms previously. The result of that examination into their qualifications was that probably——

Q. Judge, I desire to come to this fact. Had not complaints been usual in that county of the manner in which the grand juries had been selected?—A. Yes, sir; the most grievous and oft-repeated, and by the class of men whom I have known longest and best, and by a class of citizens of the highest character there.

Q. You say it has been a general complaint that the grand juries have been manipulated for the purpose of prosecuting political opponents.

The CHAIRMAN. He has not used the word "manipulated."

Mr. SAULSBURY. I beg pardon; I was asking him a question, and I have a right to put that question in my own language, and the judge can answer it as he sees proper. I do not intend, as a member of this committee, that every suggestion I make shall be interrupted by the chairman of this committee without my earnest protest. I have my rights and will assert them in defiance of the chairman or the majority of the committee. I propounded a question in which I used the word "manipulated." To that an objection is made. I never have seen in the conduct of a case, before a justice of the peace even, such captious, unnecessary, and uncalled for criticisms or remarks made by any persons. I do not like to have to say these things to any member of this committee, but I feel bound to assert my rights in this matter.

The CHAIRMAN. The statement you made was that the witness had said that the grand jury had been manipulated. You did not put a question, as I understood it; you made a statement.

Mr. SAULSBURY. I intended it as a question, and wanted the answer of the witness.

The CHAIRMAN. You made it as a statement, and it went in the record as a statement.

Mr. SAULSBURY. I intended it as a question, in order to obtain an answer from the witness, and I was interrupted in it. It is unpleasant for me in the minority, and capable of being overruled by the majority—I say it is unpleasant for me to resent anything that is done.

The CHAIRMAN. Whenever you make a statement which seems to be incorrect as to what a witness has stated I hold it to be my duty to correct that statement, no matter how many times I have to do it.

Mr. SAULSBURY. When the chairman of this committee impertinently interferes with my mode of interrogating a witness I intend to object to it.

The CHAIRMAN. That is your right. Perhaps you had better proceed with your examination.

The WITNESS. I would be glad before you repeat that question, to conclude a remark I made in reference to the organization of the grand jury, only a word. I said with regard to that examination into the qualifications of the jurors that a considerable number were excluded as falling within the classes of the persons who are exempt or disqualified, and I then ordered the sheriff to supply the places of those who had been thus excused on account of exemptions, with a like number of the best citizens of Copiah County, without regard to race or political parties, with instructions that if he did not find them in the multitude then assembled in the court-room, not to confine himself to the limits of the court-room or the town of Hazlehurst, and that I would allow him ample time to report. The meeting of the court thereupon adjourned until 3 o'clock, at which hour he reported the names of others, making the full complement of what is allowed by law. I required the full complement, as I am in the habit of doing it every term of my court.

By Mr. SAULSBURY:

Q. I will now repeat the question which I propounded. Has it or has it not been a general complaint in Copiah County that all the grand juries of that county had been manipulated for the purpose of prosecuting political opponents?—A. I answer your question in its terms; it has, very earnestly and very emphatically.

Q. I want to follow that with another question. Has it not been generally asserted and believed that it was through the influence of Mr. Matthews that the grand juries were thus manipulated?—A. Whether with or without foundation I know not, but he was represented to me as the controlling spirit in the matter. I did not know Mr. Matthews personally, and had never seen him in my life to my knowledge until that term of the court.

Q. Had you or had you not an interview with Print Matthews in Hazlehurst some short time before the election?—A. The last term of the Copiah court began on the fourth Monday of October last, which I believe was about the 24th day of the month. The election occurred on the 7th of November succeeding. I had concluded the labors of the court—the entire docket, civil and criminal, with the exception of the class of cases in which Mr. Miller, then a candidate for district attorney, and actively engaged in the canvass, was counsel. It had been agreed between him and opposing counsel that those cases, with the permission of the court, should stand over until after the election, to enable him to devote his whole time to the canvass. Accordingly on the Thursday evening preceding the election on the following Tuesday, the grand jury having concluded their labors, and made an official report, they were discharged for the term. It was then about dusk. The court adjourned over until the following Wednesday morning, when it would meet only to consider Mr. Miller's cases. Passing from the court-room, which was above stairs, two men stood midway of the staircase. Getting nearer to them I saw that one was Mr. Gail Matthews, a brother of Print Matthews, and the other was a man by the name of Thompson. As I got up to them the first word I heard passing between them, and they were standing almost in contact, was this: With his finger almost thrust into Mr. Matthews's face, and with a most threatening demonstration, Mr. Thompson said, "Go slow, sir; go slow, sir!" with the finger

almost thrust into the face of Mr. Matthews, "Go slow, sir!" His whole manner was so threatening and so violent that it caused me to say instantly, "I arrest you both; there shall be no disturbance here!" They separated.

By the CHAIRMAN:

Q. What Mr. Thompson was that?—A. I did not know the man. I learned that it was Mr. F. M. Thompson. He had been pointed out to me in the court room as a witness in a case. The parties separated, Mr. Matthews going up into the court-room and Mr. Thompson following me down the stairs. He said, "Judge, I am not responsible for the altercation between that man and myself. Passing him, I spoke to him politely, and he insulted me, as you heard." That was all that I recollect. We separated. That night, an hour or two, perhaps, after that time, Major Foote, the district attorney, and myself, who occupied the same room at the hotel, were standing upon the street near the hotel with a party of friends, and Print Matthews passed and called Major Foote aside. He quickly returned and said to me, "Mr. Matthews wishes to see us at our room."

Q. Who did he call aside?—A. Print Matthews passed and called Major Foote, the district attorney, aside. Major Foote quickly returned and said to me, "Mr. Matthews wishes to see us at our room." Entering the room, I observed that Mr. Matthews was under a high state of excitement. Major Foote lay down upon the bed. Mr. Matthews drew up a chair near to me. He said: "Judge, I am very sorry that you witnessed the altercation upon the stairway, between my brother and Mr. Thompson." I replied: "I am very glad I did; I am quite sure that I saved the life of one or both by instantly ordering them under arrest." Mr. Matthews said that Mr. Thompson, in company with an armed posse, all disguised, went to the house of a peaceable, unoffending negro man—whose name, if he gave it, I do not recollect—at the hour of midnight, and murdered him in cold blood one night last week. "And now I have information that another armed body of men will leave this town to-night on a similar marauding or murderous expedition." Said I: "Who are they, Mr. Matthews? Give me their names and I will immediately dispatch the sheriff with a posse in pursuit of them, with a warrant for the arrest of every man of the party, let him be of what race or political party he may." He said that would amount to nothing; that the sheriff would probably decline to execute the process; that the matter had been brought to the attention of the grand jury before its adjournment and they had taken no action upon it; that it was in vain to appeal to the officers of the law for the protection of himself or any of his family or party; that there was a conspiracy, as he believed, to murder him and his brothers, or members of his family, and all for a mere honest difference of political opinion; that he had had four uncles murdered in cold blood, but that the death of the last one of them had been avenged; that on taking leave of his two sons, who went off to the university at Oxford a few weeks before, holding their hands in his and with tears in his eyes, he said to them: "My sons, I know not at what moment you will be summoned home to avenge the assassination of your father." And they replied, with tears in their eyes, that they would be ready to obey the summons. "Now," he said, "when this crisis is forced upon us, and my family are to be exterminated—we who have lived here all our lives and have all our interests here—there are three or four men I would like to kill (not naming them) and then I would never lay my head upon a pillow nor sleep beneath

the roof of a house while I live, but accept it as a declaration of war against my race and my family; I would proclaim war myself against the human race, and go to the woods and be a wild man."

Q. Do I understand you that this is what he said to his sons, or that the part about their coming, when they were summoned ended it?—A. I am repeating the conversation. It made such an impression on my mind that I could repeat it the same as if it had been taken down by a stenographer.

Q. I ask you where what he told you about his sons stopped.—A. They were going off to Oxford University a few weeks before, and with tears in his eyes, he said to them: "My sons, you do not know at what moment—I do not know at what moment—you may be summoned home to avenge the assassination of your father," and they replied, with tears in their eyes, that they would be willing to obey the summons.

By Mr. JONAS:

Q. The balance or remainder is what he said to you?—A. Yes, sir. I then said, "Mr. Matthews, I am astonished at what you say. You have come here professedly in the interest of peace, of law, and of order, to consult the judge and district attorney in reference to abuses and violations of law threatened or committed, and when asked to give the names of the parties you decline to do so, and say that if process were issued for them the officers of the law would not discharge their duty; and it seems to me you utter the most violent and incendiary language I have ever heard from human lips. I implore you to desist. It is such language, repeated upon the one side or the other, which may precipitate a conflict in Copiah County, the result of which no man can foresee. The public mind is in a very high state of excitement. We are passing through a very bitter political contest. The passions of men on both sides are sufficiently aroused and all good men ought to make an effort to allay them." The interview ended there. Major Foote was the only other witness. A month or more afterwards, meeting at Yazoo court——

By Mr. SAULSBURY:

Q. I do not know what you are going to testify to, but that was a month afterwards?—A. Yes, sir.

Q. I want now to call your attention to the testimony of a witness here, named Jack Thompson, a colored man, whom I am informed testified that he heard you make a statement that you presumed the Democrats would carry the election, and they must carry it. He gave that out at the time for the purpose of creating the impression that you encouraged disorder. I want to know what you have to say about that.—A. I read his testimony as detailed before the committee with profound astonishment.

Q. Did you or not say——A. Allow me to proceed in answer to the question. The question is a broad and general one, sufficiently so to cover all the matter which I would have put in evidence in reply to a dozen interrogatories. It is sufficiently comprehensive. I do not know that I ever saw the man in my life. The statement is so contradictory of every utterance of my tongue, public or private, official or unofficial, as well as every conviction of my head and heart, that I say, stating it it most mildly, it is untrue. There is no man, living or dead, who ever heard me say that in public or in private, and I have participated somewhat actively in most every political contest

in the State of Mississippi since 1848, and more largely and actively in the political history of the State since the war than before. It is impossible that a sentiment which is at war with every conviction of my head and heart could ever have found utterance at my lips. That I felt an interest, a deep interest, in the result of the canvass there and elsewhere in the State of Mississippi, is true. That I used, and exhorted my friends to use, all fair and honorable means and legitimate means to secure the success of the Democratic party is equally true. Only a knave or a fool, or both, could find in anything that he ever heard me say, in public or private, a sentiment that would advise or that would excuse the employment of force, fraud, or violence, intimidation, ballot-box stuffing, or counting of fraudulent votes. I should lose my self-respect to say what would characterize any statements to the contrary. I say more. From the bench in the court-house in that very town—I do not know whether he was a member of the grand or petit jury or not—but in my charge to the grand jury on the first day of that term, calling their attention to the fact that they were passing through a canvass of unprecedented violence, and it behooved all good men, of all parties and of all races, to observe the safeguards which the law had thrown around the elective franchise; I charged them to investigate thoroughly every charge of interfering and tampering with the ballot-box or the exercise of the elective franchise; that I would as soon steal my neighbor's horse as cheat him of his vote, or attempt to intimidate him or overawe him in the exercise of his free choice in casting his ballot. That I said to the grand jury, and have said it to them on every occasion when in any county or counties of my district; that the elective franchise was the life-blood of the government; corrupted at the fountain, the whole framework of government would be destroyed; that it was as vitally essential to preserve its healthfulness as it was that of the blood of the human system; that hateful as radical rule was to me, my neck should rot beneath its yoke before I would extricate it by any manner of fraud, violence, bulldozing, or ballot-box stuffing.

Q. Are you acquainted with Mr. Burnet, a member of the bar?

The WITNESS. Who sits at the head of the table here?

Mr. SAULSBURY. Yes.

A. I am.

Q. I think in his testimony he stated that he wrote to you to pass certain cases of his in the court. I want to inquire of you if you received such a letter; and, if so, what was done with his cases that he requested you to pass?—A. I have just an indistinct recollection that I had a note from him about the beginning of court in reference to his cases. It is an indistinct recollection. However, the same thing was done in his cases speaking from general recollection, and from my rule, as would have been done in the case of any other man under like circumstances. That is to say, the rule of court is peremptory. The cases as called are tried or continued. It is an absolute rule of the court, never departed from but in exceptional cases. I can only say, then (for I cannot tell now, except one of his cases that he had; he had but one case of any importance in court that I recollect, or ever had one), that opposing counsel if ready and unwilling to continue his cases, would insist upon the rule being enforced. I was powerless under my own rule. If he asked anything which was in contravention of that rule, why, as a matter of course, it just took the direction of other cases. That is all there is in it.

Q. Has Mr. Burnet had much practice in your court?—A. Very little.

Q. Is he regarded as a lawyer of high standing there?—A. What do you mean, sir? Do you mean in point of legal learning or professional integrity?

Q. Well, in any sense, in either sense.—A. As to his professional character, his character for legal learning, I think he has none, or as little, perhaps, as any member of the bar in my district, with the bench and bar. Of his moral status I do not speak; I know nothing in impeachment of that. Now, as to his cases in court. The board of supervisors of the county had ordered suit to be instituted against a former sheriff of the county, W. W. Cook. I understand, and very reliably, that they appropriated $1,000 as a fee to counsel for prosecuting the suit against Cook as a defaulter to the county and the State for taxes. He was a former sheriff. Messrs. Cassidy and Sessions, of Brookhaven, eminent lawyers, were associated with him in the prosecution of those suits. It was well understood that the matter of Mr. Burnet being retained in the case (I speak that as the sense of the bar, of everybody whom I have heard refer to it)—that his employment in the case was to favor him. The management and control of the case was expected to be directed by Messrs. Cassidy and Sessions, who were eminent counsel. I think it was on the second day of the term that application was made by counsel on both sides for a reference of the case to an auditor to state an account; to take the testimony in writing, and submit it with the report and the testimony of witnesses on both sides.

By mutual consent Mr. McNeir, of Brookhaven, was appointed auditor. He spent, I think, neary two weeks, or quite two weeks in taking the testimony and preparing the account. It was brought into the court. I do not recollect that Mr. Burnet was present; I suppose he was not. When the report was brought in, Messrs. Sessions and Cassidy stated they had examined the account carefully and were satisfied with it, and had no exceptions to file to it. It showed a large balance in favor of Mr. Cook. Mr. Cook had brought a suit against the county, claiming a balance from the county, and the two suits were brought by the county and the State against him. So Messrs. Sessions and Cassidy said that the whole matter was settled upon a basis that was creditable to both parties; that the two suits of the county and the State against Mr. Cook would be dismissed at the cost of the county and the State, and that Cook should take a judgment for $1,000 on his suit, and that judgment was entered. The other cases in which I have known Mr. Burnet of counsel in court, have been chiefly little cases from the magistrates' court or the mayor's court.

By the CHAIRMAN:

Q. How long have you been on the bench in Copiah County?—A. Since October, 1882.

By Mr. SAULSBURY:

Q. You were at one time the attorney-general of the State, I understand?—A. Yes, sir.

Q. How long were you attorney-general?—A. I was elected for two full terms of four years each, and continued in office until the spring of 1865, a few months preceding the expiration of my last term, when I was removed by military authority.

By the CHAIRMAN:

Q. When were these statements made by you to the grand jurors that you speak of, about your opinion of the improprieties of such practices about the ballot as intimidation or fraud? I understood you to

repeat certain things which you said you had stated to the grand jurors repeatedly.—A. Yes, sir.

Q. When were they said?—A. At the October term, 1882, the first court held by me, and held a week after my appointment, at the April term of 1883 and the October term of 1883.

Q. You were appointed in 1882?—A. Yes, sir. In October, 1882, I held the first term in Copiah County, and the April term and October term of 1883; making three terms.

Q. Did you tell the grand jurors from the bench that radical rule was hateful to you?—A. Yes, sir. I say it from the bench, I say it publicly and privately, I say it before this committee, and I would say it before the assembled universe.

Q. But what was the opinion from the bench? You said that you, being on the bench, made that statement.—A. Yes; I said it from the bench and am willing to be reported as saying it from the bench.

Q. Now as to this gossip or news of the county about the methods that led to the employment of Mr. Burnet. You got that from members of the bar while you were judge?—A. I got it at all hands.

Q. Is it customary for people to talk to you as a judge, about the motives which lead to the employment of counsel; is that the general judicial practice there?—A. I do not know that there is anything remarkable about it. I think we have about as enlightened a sense of judicial and professional propriety with us as probably with you.

Q. I put no question which involved that. I merely wish to know what it is.—A. It evidently does; the question is suggestive.

Q. My question is whether that is the practice there whether it is proper or improper?—A. I decline to answer the question, because I think——

Q. Whether it is proper or improper?—A. Yes, sir; not that I otherwise would be unwilling to answer it very freely, but the question itself, I think, is rather a reflection—an implied reflection. Therefore, without answering it in the spirit in which, perhaps, it was asked, I simply decline to answer.

Q. Did you take any measures to hear the other side, or inquire of Mr. Burnet his version or his relation of it?—A. No, sir; I took no pains to hear anything one way or another. These things were spoken of among the profession. If I happened to be present and heard it, was I guilty of a breach of official decorum that I heard it?

Q. I simply wanted to know the facts.—A. Was I guilty, in your idea of judicial impropriety? Was I guilty of a gross indecorum that I might have been present when those things were spoken of by the members of the bar?

The CHAIRMAN. I am not under examination just now; I am asking you.

The WITNESS. Very well.

The CHAIRMAN. Now, will you be good enough to answer another question? Is it the custom in Mississippi, where the Democrats have the majority, for them to select Democratic grand jurors in those counties?—A. I cannot say how it may be in other districts, nor can I say that the board of supervisors themselves were controlled in their action by political bias, whether Democratic or Republican supervisors; I cannot say.

Q. Of course we all know that in some offices everywhere, political considerations enter in. There are other offices where they do not enter in.—A. Not to my knowledge did those things enter into the appointments.

Q. The grand jurors have other certain duties connected with taxes, as well as presenting offenses in their States. What are the duties of a grand jury in brief?—A. At every session of the grand jury after the gathering of the taxes, it is made the duty of the judges to charge them in reference to fraudulent assessments of property or things of that kind, or to institute indictments against parties who have been found to have put a fraudulent valuation on their property in valuing it.

Q. The grand jury do not themselves assess the taxes?—A. Oh, no, sir; that is done by an assessor, who makes returns to a board of supervisors, and a month's time is allowed to parties having complaints to make, so that the assessment rolls can be brought there before them.

Q. I do not care about going into that at length, but merely to ask whether they have the duty of making presentments of crimes and offenses; the common-law duty?—A. That is all.

Q. What was the nature of the political offenses with which you understood it was proposed to charge some of the best men in the county?—A. As I gathered there from the popular sentiment, it was that they would charge them with abuses and violation of the law, intimidating—what is termed "bull-dozing"—improper interference with the elective franchise, ballot-box stuffing, fraudulent counting of votes, and all those things.

Q. Then your idea of the representation was—although I do not understand you express personally a knowledge of the matter—that the grand jury had been so constituted that it was proposed or expected they might present some of the best men of the county for the offenses of bull-dozing, ballot-box stuffing, and other similar offenses against the ballot of this county, of which you have expressed your strong personal condemnation. Were those excellent citizens, against whom it was complained they were likely to be presented, all Democrats?—A. They believed that false prosecutions would be instituted against them.

Q. But they were all Democrats, were they not?—A. I presume they were; I do not know.

Q. Why do you presume they would all be Democrats? Do you know why you presume so?—A. I was going on to answer your question as fully as I could. I said that the names of persons were not given to me, nor was it stated that they were all of one political party or the other. The complaint was that the charges were false and would only be instituted to gratify malice.

Q. Do you mean by that that the complaint was that there had not been bull-dozing and ballot box stuffing in that county at all; that that was untrue, or that the complaint was that the persons who were likely to be charged by this grand jury with it, were not really the guilty persons?—A. Those that I heard speak of it said that the charges were false.

Q. But whether they thought that the charges were false by being directed against the wrong person, or that no such things had happened?—A. I do not know that I could answer more generally than I have done.

Q. Was it not notorious that such things had happened in that county? Was it not the universal belief that there had been bull-dozing, violence, and ballot box stuffing?—A. We have had all those things charged, and there is a bad element in both parties in every county, as in every State of the Union, there are lawless and violent men of one party or the other who do resort to improper means of influencing the ballot-box.

Q. Do I understand you (without saying which party was guilty of it)

it was, in your belief, true, that such things had been done?—A. I have not said so for a moment. I fear they have been. I deprecate and denounce it, let it be done by whom it may or what party it may.

Q. But it was enough, you thought, to express your very proper condemnation of it, which you have stated, on the bench?—A. Oh, I suppose there is no county in the State or in the Union in which, at some time or other, and by somebody or other, unfair means have not been used in political canvasses. We have heard of such things as the "Plaquemine frauds" so long ago that it has passed from the memory of man, and of "pipe-laying" in Pennsylvania, but we never heard that they were the subject of investigation by Congressional committees before that I am aware of, and we do not hear that when these things occur North and West they become the subject of investigation by Congressional committees.

Mr. CAMERON. The Plaquemine frauds were investigated by a committee.

Mr. FRYE. Did you not know that Congressional committees have visited Pennsylvania, Massachusetts, and Rhode Island, and several States, investigating these questions?

The WITNESS. I have been so unfortunate as not to have learned that. I should read the accounts with a great deal of interest.

The CHAIRMAN. You will find that a Democratic committee went over the Northern States and investigated those charges.

The WITNESS. And reported there were no abuses or violations of law and order?

The CHAIRMAN. I do not know whether they reported at all; I do think they did. They took testimony. But the question I wanted to come at related to a wholly different matter. I was trying to find out what was the nature of the complaint about the constitution of this grand jury.

A. I have explained it as near as I can.

Q. But I suppose you have examinations in your court where gentlemen who do not understand things inquire more particularly, and I am cross-examining you.—A. Yes, sir.

Q. Now, what I want to find out is, I understand you to have said that unhappily there have been in that county of Copiah, as you have understood them without any personal knowledge, such wrongdoings, so that the complaint must have been, not that this grand jury was expected to charge crimes when there had not been any crimes, but only that it was feared they would charge with these offenses men who were not guilty of them. Is that it?—A. I do not appear to understand your question fully, but I will answer it as well as I can. I will say to you that I have no doubt, if you will accept it as a supposition, there were there, and elsewhere in some instances, frauds committed by lawless or violent men on one side or the other.

Q. Now were the names of those best men in the county, which it was feared would be charged by this grand jury, made known to you?—A. Not one of them; it was only suggested to me in general terms.

Q. Did those grand jurors in fact present anybody for those offenses, so far as you know as a judge?—A. I did not know the political sentiments of the grand jury except two or three old acquaintances, but I was informed that there was a majority of Republicans on the grand jury.

Q. And there was great excitement with the expectation that they would present some of the best men of the county for some offenses which in fact had been committed, though probably not by those best men in the county; but still they did not present anybody so far as you

know?—A. No, sir. I would be very glad to be allowed by the committee, in connection with the interview between Print Matthews and myself, to say this: The morning after that interview, I saw Mr. Earnes, the foreman of the grand jury, and stated to him that Mr. Matthews had the night before informed me of the killing of this negro by Thompson, and that the matter had been brought to the attention of the grand jury, and they had failed to take any action upon it. He said this is the action we took upon it.

The CHAIRMAN. He has been a witness and has narrated that and you need not repeat it unless you desire.

Mr. JONAS. I desire it.

The WITNESS. He said this is the action we took: We summoned a cloud of witnesses before us and examined them most searchingly, and a lot of testimony was developed, and it was simply this—that the negro stated he was present at the killing and that he suspected Thompson of being the man who killed him; that he, Mr. Earnes, said, "Why do you suspect him?" and the reply was, "From his face." "Did you see his face?" He replied, "No, I did not judge him from his face, but from his bulk." Then the matter was submitted to a vote of the grand jury. The majority of them were Republicans, and they voted unanimously that there was no evidence before them to authorize the finding of a verdict of guilty; that was all.

By the CHAIRMAN:

Q. Now, I am going to ask you to repeat once more the statement which you made of the interview between you and Mr. Print Matthews, if you will be kind enough to do so. What night was it?—A. On the Thursday night before the election. The election was on the 7th of November.

Q. Let me ask you before you come to that, however, if Mr. Matthews informed you that he had then received a letter demanding that he should leave his home, or something of that kind, signed "150"?—A. No, sir; he made no reference to it.

Q. Were you informed of that fact at the time of that interview, that his coming to see you was in part the result of this threatening letter?—A. No, sir; I recollect after the morning he was killed I heard of the resolutions and the letter which had been sent to him. I think my information about those matters was all subsequent to the killing.

Q. One member of the committee was not present during the first part of your examination, and I would like to have you repeat this conversation which took place between you and Mr. Print Matthews in the presence of the district attorney. I understand you that Mr. Matthews came where you were standing, and spoke to the district attorney, whom he took on one side, and the district attorney informed you that Mr. Matthews wished to see you and him in private. Thereupon you repaired to a room, and the district attorney lay down upon the bed, and Mr. Matthews then made a communication to you, which I will thank you now to repeat.—A. I presume that the stenographer has taken it down literally. I spoke it slowly and deliberately, but I can repeat it.

Mr. SAULSBURY. Would it not answer as well to read the testimony?

The CHAIRMAN. No; I would rather have the judge repeat it. I want Mr. Frye to hear it from his lips.

The WITNESS. He took a seat near me and introduced the conversation by saying: "I am very sorry that you witnessed the altercation between my brother and Mr. Thompson on the staircase in the courthouse." I replied: "I am very glad that I did; I am quite sure that I

saved the life of one—probably of both parties." He then said that "Mr. Thompson went one night last week to the house of a peaceable, unoffending colored man, accompanied by an armed posse, masked or disguised, and there murdered the negro in cold blood, and to-night, I am informed, another armed party is going out from this town on a similar marauding or murderous expedition." Says I, "Who are they, Mr. Matthews; give me their names and I will immediately start the sheriff with a posse in pursuit of them with a warrant for the last man of the party, let him be of what race or political party he may." He replied that that would be useless; that the sheriff would probably find some excuse for not executing the process; that the matter had been brought to the attention of the grand jury, and they had taken no action upon it; that it was in vain to appeal to the officers of the law for protection to him and those of his family or of his political party; that there was a conspiracy to exterminate him and his family; that there were four or five brothers of them, all of whom were raised, if he did not say they were born, in Copiah County; that they had all their interests there, and that this persecution of them was all the result simply of an honest difference of political opinion; that he had had four uncles who were murdered in cold blood, and that the death of the last one of them had been avenged; and now, when this crisis is forced upon them, there were four men whom he would like to kill—not naming them—and then he would never lay his head on a pillow nor sleep beneath the roof of a house while he lived; but as war was declared against him and his family, so he would declare it against the human race, and would never lay his head on a pillow nor sleep beneath the roof of a house, but go to the woods and be a wild man. He remarked that his two sons were going to Oxford——

Q. That was a little earlier in the conversation, as you repeated it before.—A. I may have transposed it.

Q. Please repeat that?—A. That his two sons going off to the Oxford University a few weeks before, at parting, holding their hands in his, with tears in his eyes, he said to them, "My sons, I do not know, or you do not know, at what minute you will be summoned home to avenge the assassination of your father," and they replied, with tears in their eyes, that they would be ready to obey the summons.

Q. You did not state it in that way before; let the stenographer read it.

(The stenographer read the part of the testimony referred to.)

Q. Now go on; is that all?—A. I said: "Mr. Matthews, you sought me, coming here professedly in the interest of peace, of law, and of good order, to consult the judge and the district attorney in reference to violations and abuses of law committed or threatened, and when asked to give the names of the parties that they may be arrested, you decline to do so, saying that it is in vain to appeal to the law and to the officers of the law; that there was no protection for you; and, at the same time, using the most incendiary language I ever heard from human lips; just such language as. if repeated on one side or the other, may precipitate a conflict here in Copiah County, the end of which no man can foresee. The public mind is in a very high state of excitement, as you perceive, and it ought to be, as it is, the duty of every good citizen to endeavor to allay it. I appeal to you to desist from such utterances."

Q. Now, I would like to ask you a question on another matter. You said, if I understood you—I think it was in recounting the charge which you had made to the grand jury from the bench—but at any rate in some of your public utterances you had said to the people of Copiah

County that they were passing through a highly exciting political contest, or words to that effect?—A. Yes, sir.

Q. What was there in the nature of that political contest to cause unusual excitement? Did you not understand there was a highly respectable ticket on both sides?—A. I do not feel that I knew personally.

Q. Did you not understand that the ticket on both sides was composed wholly of white men, with the exception of some few negroes?—A. I have no knowledge to the contrary of that; but I cannot recall who the candidates were on the one ticket or the other, except two, the candidate for the clerkship, and the candidate for sheriff, and the legislative ticket.

Q. They were respectable on both sides?—A. I know nothing to the contrary.

Q. That is your belief?—A. I presume so, for I know nothing to the contrary. I presume them to be all good men.

Q. What was there in the political contest in Copiah County to make great excitement unless it were that five or six hundred men were separating from the Democratic party?—A. I always had an impression that the contest was waged more actively and more violently in Copiah than in other counties.

Q. What was there to cause that violence?—A. That I am unable to tell you further than I would hear from my political friends their complaints but not hearing from the other side, I cannot tell.

Q. What were the complaints of your party?—A. The complaints of our party chiefly were of the board of supervisors.

Q. Was not a new board of supervisors to be voted for at that election?—A. Yes, sir; but I do not know a man now who was a candidate for it.

Q. But did not your political friends concede that the new board of supervisors were highly respectable men?—A. I cannot say. I do not know who the candidates were on the one ticket or the other for supervisors.

Q. You did frequently in public express your very earnest desire that the Democratic party should carry the election, as I understand you?—A. Yes, sir; by all fair and honorable means, and I said that nobody but a fool or a knave, or both fool and knave, would have drawn any other conclusion from anything heard from my lips than that it was an appeal to them to use every honorable means to carry a fair and honest election.

Q. Did you not believe your party was strong enough to carry the election by fair and honest means?—A. I did not know why they should not be, and with such a cause.

Q. So that it is quite probable that you may have said that you earnestly desired the Democratic party to carry the election, and that the Democratic party were able to?—A. Suppose I should say to you now——

Q. There is no impropriety in it.—A. Suppose I should have made the remark to you that our party must carry the election. If you knew me well what conclusion would you draw from that?

Q. I am examining you with a view of testing the truthfulness of the witness who testified to your language and not to test the wisdom or folly of the conclusion that he drew from it. I want to see if you feel sure that you did not use the language that he said.—A. I am sure that I never used any language authorizing any such conclusion or construction.

Q. But I understand also that you may have said, without authorizing any such conclusion, that the Democratic party could carry the election, and that they must carry it?—A. No, sir; I do not think I used language of that kind which, taken from the context, would have permitted any such construction.

Q. I concede that your construction is entirely right, but I want to judge now whether the witness may have been mistaken in his conclusions or his statement of what you said.—A. Such a thing was contrary to the convictions of my head and heart and every utterance of my life.

Q. I want to know if you used the language.—A. It is simply an impossibility that I can recall the language.

Q. You may have used the language, but with no such improper meaning.—A. Oh, excuse your witness, if you want to excuse him. I will allow him the benefit of the charitable construction.

Q. You think that you may have used it?—A. I will allow him the benefit of the charitable construction.

By Mr. CAMERON:

Q. Do you remember whether there was a case on the calendar of your court at the last term of your court in Copiah County, of Russell against Perro?—A. What was the character of the litigation?

Q. It was an action for recovery of damages alleged to be $3,000.—A. Damages on what account? I do not recollect the name of the case at all.

Q. Do you not remember there was a judgment rendered in favor of the plaintiff in that case?—A. I do not remember such a name, as either the name of a plaintiff or a defendant. I have heavy dockets, and, unless the case is one of unusual interest, I would not be expected to recollect the case of John Jones against John Smith.

Q. I will state why I asked you the question. You stated that according to your recollection Mr. Burnet only had one case of any considerable importance in your court at its last term, and you stated what that case was, and you further stated that the other cases he had were principally appeals from the court of a justice of the peace or mayor's court.—A. Yes, sir.

Q. Do you remember a case entitled J. P. Matthews against J. J. Cason?—A. I remember one case Mr. Matthews had in which Burnet was counsel—a case in which there was a contest about the allowance of fees to numerous witnesses. Is that the case? You have his associates of the bar from Hazlehurst here, who can speak more directly than I can. Mr. Burnet's practice is very limited there.

Mr. CAMERON. But the minority of the committee examined you on that point and it is not any answer to say that somebody else can speak more intelligently on the point than you can.

T. E. COOPER sworn and examined.

By Mr. JONAS:

Question. Where do you reside?—Answer. In Jackson, Miss.

Q. You are one of the judges of the supreme court of Mississippi?—A. I am.

Q. Did you live in Copiah County for many years?—A. Yes, sir.

Q. Up to the time of your appointment?—A. I lived in Copiah County from 1867 up to the time of my appointment, and before that time I had lived there in 1865. I lived at Hazlehurst from 1872 and in Crystal Springs before that time.

Q. Were you a practicing lawyer at that time?—A. I was.

Q. You knew J. P. Matthews?—A. Yes, sir.

Q. You knew him at the time he held his office as sheriff and afterwards?—A. Yes, sir.

Q. Do you know anything in regard to Mr. Matthews's settlement with the county and State as sheriff, whether he had settled in full or whether there was any amount due or defalcation. If so, state what and how it came under your knowledge.—A. I do not remember how my attention was first directed to the fact that there was some deficiency in Mr. Matthews's settlements. I think I first heard that information from being employed or spoken to by some citizen who represented a tax-payers' association. When Mr. Matthews was in office in 1874 and 1875 as sheriff, he rendered to the circuit court an account for jail fees and for bailiffs' fees, which account was allowed by the circuit judge, and went before the board of supervisors for approval and the issuance of a warrant. Colonel King, who was then, I think, president of the board of supervisors, required Mr. Matthews, in addition to the order of the circuit court, to produce the warrants by which he held the parties in custody, and to show the authority by which they were discharged. Some of the prisoners had escaped; whether by the negligence of Mr. Matthews or not, I do not remember. Mr. Matthews declined to produce those papers, and brought a suit against the county for the amount of his jail fees and his bailiffs' fees, amounting, I think, to about $1,300. I was employed by the county to defend the suit, and among other matters I pleaded, I gave notice that I would prove, under the general issue, the fact that Mr. Matthews, at the time of his election for the term in which the office was created, was a defaulter, and liable for public moneys unaccounted for and not eligible under our constitution to hold the office. I examined the records of the chancery clerk's office, and there I found that some of the receipts which had been taken up by the tax-payers from the delinquent tax collector, and filed with the chancery clerk, or report filed by the delinquent tax collector, showed some amount due to Mr. Matthews during the time he had held the office before. I set it up in defense that he could not recover these fees because he was not *de facto* the officer. Mr. Matthews's attorney, Mr. Harris, relying on the legal question involved only, admitted, for the purposes of that trial only, that the matters pleaded were true, and that Mr. Matthews was a defaulter. This was against the protest of Mr. Matthews, who denied that he was a defaulter. The question went to the supreme court simply on the legal question of whether a *de facto* officer could sue for his fees. The Supreme Court decided that he could not recover because of the fact which was pleaded, and which was admitted to be true. I knew nothing more of the matter further for some years. I do not remember when, but my impression is that it was in the fall of 1880, about December, 1880, General Adams, who was the revenue agent of the State, sent Mr. Echols, his clerk, down to Copiah County to examine the records, and from an examination of those records, as stated to me by General Adams, it appeared that Mr. Matthews was a defaulter to a very considerable amount. He presented the account to Mr. Matthews, and made his demand on him for the same. Mr. Matthews said that if it was true that he was a defaulter that he would pay the money, but he claimed that as a matter of equity he should be permitted to retain the amount which the county really was owing him. General Adams came and asked me what I thought of it, and whether I could recommend the allowance of this claim of Mr. Matthews, and I told him that I thought it would

be right to allow him the $1,900, which claim he had against the county, and which he could not collect, which arose for moneys expended in feeding prisoners. Thereupon Mr. Matthews settled the default of about something over $3,000, probably $3,300, but he was in default to the county something over $3,000.

By the CHAIRMAN:

Q. You mean a default in addition to this claim which was allowed him?—A. No, sir; his whole default to the county and State. The $3,300 included the whole default, and in the settlement of that Mr. Matthews was allowed his $1,900 claim which he had against the county, and, I think, upon calculation of interest it made probably some $1,600 over and above the amount which he claimed against the county.

By Mr. JONAS:

Q. Did you make the settlements?—A. General Adams made the settlement in my presence.

Q. Was it drawn up in writing?—A. Yes, sir; the settlement was in writing.

Q. Look at that memorandum, and see if that is a true copy of the statement and settlement [handing paper to witness].—A. (After examining the paper.) I could not say it was a true copy. It was about to that amount, and I think the settlement was made about that time. I know it was something over $3,000, and the settlement was made about that time, and the balance against Mr. Matthews was paid over by him. (The paper referred to was returned to Mr. Sexton and retained by him.)

Q. That was some three or four years after he went out of office.—A. That settlement was made in 1880, and Mr. Matthews went out of office in 1876, I think.

Q. During all that time he had been a defaulter to the county?—A. Yes, sir.

Q. At the time of the first suit when you made that plea, you were ignorant of the fact that he was in default to the county?—A. No, sir; I pleaded the fact that he was a defaulter to the county. I knew the fact, that is if the records were true; but the amounts were small, and it might have been that the deficiency arose from oversight.

Q. You did not know of this deficiency which was afterwards discovered by the examination of General Adams?—A. No, sir; I think the deficiency was about $300 or $400.

Q. Did you know J. P. Matthews and his brothers well?—A. Yes, sir; I did.

Q. What was the general character and reputation of J. P. Matthews and family in the county and in the community for peace and quiet and the observance of law and order; were they peaceable men or otherwise?—A. Some of the Matthews brothers were considered violent men and not peaceable. I think Mr. Leon Matthews was considered a quiet man.

Q. How was it with J. P. Matthews?—A. J. P. Matthews was a passionate man, and disposed to be overbearing and dictatorial. I do not know that I ever heard of any great number of difficulties that he was engaged in, but I know that he was considered a dangerous man, a passionate man.

Q. Had he the reputation of generally carrying arms and being ready to fight?—A. Yes, sir; I think he generally carried arms and was ready to fight.

Q. Was he a man using generally language calculated to inflame the people in the community in which he lived and to stir up discord among the people?—A. Yes, sir; politically. Politically he was an exceedingly violent man.

Q. Did you ever hear of Mr. J. P. Matthews making any threats against yourself or Judge Mayes?—A. Yes, sir; I heard of Mr. Matthews making threats against Judge Mayes and myself in the canvass of 1875. Judge Mayes and Mr. Matthews married sisters. That year I was chairman of the executive committee and Judge Mayes was a member of the executive committee. During the progress of the canvass we were informed that Mr. Matthews (or I was so informed) had made some threats. I remember that Judge Mayes and myself talked the matter over, and we concluded that we ought to arm ourselves, not so much against Mr. Matthews, not altogether against Mr. Matthews, but that we ought to arm, and we made arrangements to get a couple of pistols, but we did not get them, at least I did not.

Q. Was that because of these threats of Mr. Matthews?—A. It was because of those threats and other matters. I heard that Mr. Matthews had said that he expected to be killed during the canvass, and that some sort of responsibility would rest on the executive committee. He made charges that the executive committee intended to have him killed. I asked him about it, or took him up in some way in the court where he was, and he said yes, he expected to be killed; that he thought we wanted him killed, and that he had determined not to die unavenged, or if he did die, that he should not be unavenged. He told me that he had by his will provided that $10,000 should be set aside and employed in the procuring of assassins to assassinate Judge Mayes, Captain Harris, myself, and some other gentleman whose name I have forgotten, if I ever knew who the fourth man was.

Q. In case he should be killed?—A. Yes, sir.

Q. He told you that personally?—A. Yes, sir; he told me personally. He told me that while he expected to be killed some day, that his brothers would avenge his death; that they had a family compact by which his death was to be avenged.

Q. Did you represent Mr. Martin in the contest between himself and Mr. Matthews, over the office of sheriff of the county of Copiah?—A. Yes, sir; I was associated with counsel. Judge Potter, of Jackson, was leading counsel, and I was associated with him.

Q. Mr. Matthews contested Mr. Martin's election?—A. No, sir; Mr. Martin contested Mr. Matthews's election.

Q. At the same time there was a contest over the election of chancery clerk?—A. Yes, sir.

Q. Both of those cases were before the courts?—A. Yes, sir.

Q. State what you know about the particulars of that litigation and the facts which came out in evidence.—A. I think it was in the election of 1871. The board of commissioners, who were charged with canvassing the returns of election officers, gave certificates of election to Mr. Matthews as sheriff and to Mr. Hardy as chancery clerk. The contest was made by the opponents of these gentlemen and on the trial of causes before the magistrate in the case of Martin *vs.* Matthews, there was a verdict in favor of Mr. Martin. The case was appealed by Mr. Matthews to the circuit court and tried there and resulted in a verdict for Mr. Matthews. Mr. Martin then prosecuted an appeal, or prepared to do so, and some time afterwards Mr. Matthews delivered up possession of the office to him. The election commissioners had reached the result that Mr. Matthews was entitled to the certificate by excluding

from the count the boxes at Crystal Springs West, I think at Crystal Springs East, and another box in the county, I believe at Salter's precinct. The ground of objection was that the clerks and officers of election had failed to take and subscribe to the oath of office before they had opened the polls and received the votes deposited. The oath was made after the votes had been taken, but as I now remember before they were counted. This objection was applied to the box or boxes at Crystal Springs. The objection to the vote of the Salter's box, if that was the other precinct which was excluded, was that there was one more ballot in the box than appeared to have been cast, looking to the poll-book. The law required the commissioners of election to check the name of each man who voted. There appeared to be one more ballot in the box than had been checked on the poll-book. We found that man who had cast that ballot and whose name did not appear to be checked, and summoned quite a number of gentlemen and disposed of the Salter's box as a law point. But the jury nevertheless, although the court instructed them it was really immaterial about taking this oath before they commenced their duties, found for the defendant.

Q. Had Mr. Matthews anything to do with having those boxes thrown out or rejected?—A. I cannot say that he did, other than this: I heard him say that he had made the contest, not believing that it was well taken in law, but in order that he might collect the taxes of that season.

Q. After he had collected the taxes he withdrew his contest, did he?—A. Not after he had collected all the taxes, I think, but after he had collected a considerable portion; by far, probably, the greater portion.

Q. Who selected the jury that sat in that case in the circuit court?—A. I do not know who selected the jury. Mr. Matthews at that time was, I think, sheriff. The counsel for the contestant and the contestee agreed that Dr. B. W. Jones should be appointed by the court as a special sheriff to summon the jury. Dr. Jones or his deputies returned the names of quite a number of jurors.

Q. That jury was not selected by the board of supervisors, then?—A. Oh, no, sir.

Q. They only select the grand jury?—A. At that time they only selected the grand jury. We have a jury box in our State now.

Q. Was Mr. Matthews or either of his brothers on the board which threw out this box?—A. Mr. Matthews's brother was a member of the board of commissioners at that time.

Q. Which Mr. Matthews was that?—A. I think it was J. M. Matthews; they call him Gall Matthews. Mr. Harvey's brother-in-law was a member of the board.

Q. You have lived a good many years in Copiah County?—A. Yes, sir.

Q. And know its people very well?—A. I think I have a general acquaintance with them.

Q. What is the general character of the people of Copiah County, especially of the Democratic portion of that people, for peace and law and order; are they good citizens or otherwise?—A. I think it is an average county of the State or of the United States. I think the people are about the same there as elsewhere—have their virtues and their faults.

Q. You think, then, that a large majority of the people are law-abiding, orderly, good citizens?—A. I do.

Q. And that they have only the usual proportion of disorderly and turbulent people?—A. Yes, sir.

Q. Always to be found in communities of the same population?—A. Yes, sir.

By the CHAIRMAN:

Q. Was this campaign where you were chairman of the executive committee, the campaign of 1875?—A. Yes, sir; I think so.

Q. That was a campaign of great excitement and violence in the State, was it not?

The WITNESS. Do you speak of our county?

The CHAIRMAN. I speak of the State at large.

A. I do not know as to the State at large.

Q. Is it not what was known as the shot-gun campaign?—A. It is the campaign of 1875 in which we carried the State for the first time.

Q. Well, that identifies it. Mr. Matthews, when he made that statement, stated to you, or in your hearing, that he expected to be killed?—A. Yes, sir.

Q. And that if he was killed he had made arrangements by which money should be spent; did he use the term assassin, or is that your translation?—A. He used the term assassin; for the purpose of assassination.

Q. Well, which?—A. I say he used the term assassin, for the purpose of assassination; that the fund was to be employed to have us assassinated. I cannot give you his words exactly, it is years ago; but I am sure that he used those words or their equivalent.

Q. Did Mr. Matthews say that it had been directly communicated to him that your committee had discussed the propriety of killing him?—A. No, sir.

Q. But he claimed that they favored it, didn't he?—A. He said that he expected to be killed, and he believed that our committee wanted him killed.

Q. Did you observe a statement in an article in the New York Tribune, I think, which purported to be a reply by the young man, a son of Mr. Matthews, after he was killed, to Major Barksdale, one of your Representatives?—A. Yes, sir.

Q. There was a letter there purporting to have been written by you?—A. I saw it.

Q. Did you write that letter?—A. I do not know whether I wrote the letter or not; I believe I did, because there is nothing in the letter which I would not or might not have well said at that time, as I now remember the occurrences.

Q. Do you remember the date of the letter?—A. It was, I think, in the spring of 1871; probably in the summer of 1871. It was before the election contest of 1871.

Q. And in that letter you said, did you not, that it would give you great pleasure to vote for Mr. Matthews for sheriff if he was not a Republican, or something to that effect?—A. I said that I, in common with Mr. Matthews's friends, regretted, I think, that the action of his party had made the county offices political. I would say here now that all the time that Mr. Matthews was sheriff of Copiah County, so far as his dealings with attorneys was concerned, I never met a more accommodating sheriff anywhere; he was an accommodating man.

Q. You speak of yourself as one of his friends; did your friendship ever cease?—A. Mr. Matthews and I were reasonably friendly all the time, I think, until shortly before I went on the bench.

Q. When was that?—A. That was in 1881, I believe. I think it was the term of the court before that——

Q. I did not propose to ask for the details of it.

Mr. SAULSBURY. Let the witness go on.

The CHAIRMAN. I will determine that; he shall have an opportunity.

The WITNESS. I do not know that Mr. Matthews and I ever could be

called upon bad terms. We always spoke when we passed in a friendly manner.

Q. But did you account yourself as his friend? You used the term that you, in common with Mr. Matthews's friends, were prepared to support him as sheriff, but that that state of friendship changed.—A. I do not think I would ever have voted for Mr. Matthews or have supported him for many years before his death.

Q. If he had been a Democrat and had been nominated for sheriff with the same personal qualities, would you not have voted for him?—A. I do not think I would.

Q. But I thought you wrote in this letter——A. Oh, at that time, do you mean?

Q. Yes.—A. At that time I would.

Q. Would you have voted for him then if he had been the Democratic candidate with the same qualities that you supposed he had?—A. Yes, sir; with pleasure.

Q. You had no question of the power of the county to collect anything that was due from Mr. Matthews; he was solvent and responsible; you had no doubt of that kind when you were counsel in this case?—A. The suit was by Mr. Matthews against the county.

Q. But I ask you if Mr. Matthews was responsible, if it should turn out that he owed the county $1,000?—A. I do not know. Mr. Matthews was engaged in mercantile business. What the reputation of the firm was I could not tell you. Mr. Matthews's wife had a good deal of property. I think for years Mr. Matthews took the title to his property through his wife.

Q. Did the county bring any suit against him or make any attachment?—A. No, sir.

Q. So whatever turned out to be due he paid over when the amount was settled?—A. Yes, sir.

Q. Did you not understand that he held this money back, whatever it was, as a means of compelling the county to pay him what he claimed was his due?—A. I did not.

Q. He claimed that there were some $1,200 or $1,500 his due, or $1,900?—A. Yes, sir.

Q. And the defense to that was one which, when the judge consulted you about, you said you thought whatever was really due ought to be paid in spite of that defense, did you not?—A. Yes, sir; Mr. Matthews did not pretend to hold money back on that account. He stated this: That he did not know that he was a defaulter to the county; that if there was a default it arose without his knowledge.

Q. When you use the word default you mean simply that the debt was that way?—A. I mean a legal default.

Q. You do not use the term default in the sense of a criminal attempt to defraud the county? You do not make that imputation on him or his memory?—A. I do not know that Mr. Matthews ever had a dollar of the county's which he knew to be the county's.

By Mr. CAMERON:

Q. Is this the letter which you wrote to Mr. Matthews? I will read the one which purports to be that letter.

The WITNESS. I have seen that letter.

Mr. CAMERON. I will read it:

CRYSTAL SPRINGS, MISS.,
June 27, 1871.

J. P. MATTHEWS, Esq.:

DEAR SIR: Your favor received, and I herewith inclose you bond from the claim for the property levied on. I regret, as I am sure you know, that our difference in politi-

cal views makes it necessary for me to vote against you in your candidacy for the office which you have filled so acceptably to all classes in the county. So far as my feelings toward you as a man and officer are concerned they are of the kindest. And it is only the cursed principles of the extreme mass of the Republican party which makes it absolutely necessary to divide the organization of parties in this canvass or that makes the office of sheriff a political one. I know of no man whom I think has more faithfully and honestly filled the office than you, or more acceptably to the people. I am happy to be able to say the same language in regard to Harvey, and while I expect to work against your party, and vote against both of you, I am yet satisfied that, excepting your damned politics, you are both as good men as we can select from our side. These are my honest sentiments, and the only ones I expect to express.

Your friend, &c.,

TIM. E. COOPER.

The WITNESS. I think that is about the letter as I saw it in the Tribune.

Q. And about as you recollect it?—A. I have no recollection whatever of it. As I now recollect my feelings towards Mr. Matthews at that time, and the opinion I have entertained of him, there is nothing in the letter which I would not have written.

By the CHAIRMAN:

Q. He had been a sheriff acceptable to all classes of the people?—A. He had been an accommodating sheriff, and there had been a sort of difficulty between Mr. Matthews and the administration of Governor Ames, in which I think Mr. Matthews was rather supported by the people of the county.

By Mr. SAULSBURY:

Q. This letter was written in 1871?—A. Yes, sir; in June, 1871.

By Mr. CAMERON:

Q. Do you remember whether or not in 1875 the Democrats in Hazlehurst got a coffin or had a coffin and took it to Mr. Matthews's house or near his house; do you remember that?—A. I do not.

Q. Do you remember whether they did or not?—A. I do not.

Q. You were chairman of the executive committee?—A. Yes, sir; I was chairman of the executive committee; but if anything of that sort occurred I have no recollection of it. I do not recollect that it was done by the Democrats, I say, or by the Republicans, or anybody else; but it may have been done. I know that in years back I have heard of coffins being carried around, but I cannot pretend to say whether that was done or not that year.

Q. Do you not remember that in 1875 a Democratic procession marched past Mr. J. P. Matthews's house in the evening with banners and torches carrying a coffin inscribed "Matthews"?—A. I expect probably it was done and in this way, though whether it was a coffin or a coffin painted on a transparency I do not remember; but we had a very excited political canvass, and we had a great crowd out at meetings, and we carried all sorts of transparencies and representations of different things. But when I answered the question I meant a coffin carried to intimidate Mr. Matthews. I have no doubt that in the procession there was either a painted coffin or some coffin with words written on it, "Death to the Republican party," or something like that that was carried by the procession. I do not remember the fact, but I have no reason to believe that it was not done.

Q. Do you not remember that it was inscribed "Matthews"?—A. Well, it may have been, but I do not remember it. The idea was that it was a burial of the Republican party. I remember once we had a

regular burial of the Republican party and put it down in a coffin, but it didn't stay.

The CHAIRMAN. I understand you buried a good many of them that year.

The WITNESS. Of the Republican party? In 1875 I was chairman of the executive committee and if there was any fraud, ballot-box stuffing, or intimidation done in that county I have no reason to believe it, and do not know it.

By Mr. CAMERON:

Q. One gentleman has stated that he was a Democrat in 1875; that processions, or whatever you choose to call them, went through the county and had cannon and fired cannon, had guns and fired their guns, had pistols and fired their pistols, and that the object of all that noise was to convince the colored people that they must either vote the Democratic ticket or keep away from the polls and not vote at all; that was his understanding of it. What was your understanding of it?—A. We had cannon and we had brass bands, and we had, I think, such barbecues as never have been seen in that country before or since. Sometimes we would go to these meetings with our cannon and band, with large crowds, but it was not my idea that it was done for intimidation. If any man was killed in the county in 1875, I do not now remember it.

By Mr. SAULSBURY:

Q. That letter which has been referred to, was written in 1871, I understand?—A. Yes, sir.

Q. Did the feelings of friendship which existed at that time continue the same; I mean the relations, the friendly relations that you testify existed between you and Mr. Matthews, did they continue up to the time of his death?—A. No, sir; I never felt towards Mr. Matthews for years before his death in such a way that I could have voted for him or would have voted for him. While our personal relations might have been pleasant, I considered Mr. Matthews as a man dangerous to the county; a man, who, for his own preferment, was banding the colored people together, and, as I believed, injuring the county by his acts. We remained on speaking terms up to the time of his death, I suppose, but we were not on very friendly terms, not intimate.

By Mr. CAMERON:

Q. I will ask you if, in your opinion, Mr. Matthews did anything worthy of death?

The WITNESS. In this killing?

Mr. CAMERON. Yes.

The WITNESS. No, sir.

Q. You do not approve of that?—A. Oh, no, sir; I think there have been many occasions when Mr. Matthews might have been killed in the heat of passion, you understand, from his manner of dealing in matters, when it would not have been murder; it might have been manslaughter; but I do not believe—for I understand that Mr. Matthews was shot down—I do not think any act of a man is sufficient to justify that.

Q. It has been stated by various witnesses before this committee that during the last campaign in Copiah County bands of armed men perambulated the county, visited negroes at their houses at night, killed some, whipped some, and in various ways appeared to try to intimidate them, and to prevent them from voting on the day of the election. Do you think that anything Mr. Matthews did would justify that?—A. No,

sir; I do not. I do not know what Mr. Matthews did, or what he is said to have done. I see, from reading some of this testimony, it is said that the negroes were reported to be coming to town armed. Well, if that was true, I think the white people might properly arm themselves to intimidate them all they could to keep them from it.

Q. Did you understand that that was true?—A. I say I do not know what was done. I saw that in the papers here, that some of the witnesses had testified it was reported that the negroes were coming in armed. I say if the negroes armed to come to town, the white people have a right to arm.

By Mr. FRYE:

Q. Did you believe that the negroes would arm themselves and rise against the white people in Copiah County?—A. I did not believe they would.

Q. You would have no fear of that kind?—A. I do not think they would ordinarily. I can hardly remember circumstances now under which they would arm and come to town. I remember once seeing about one hundred and fifty negroes come to town armed, I think, for the purpose of intimidating the white people.

By Mr. CAMERON:

Q. Is arson a capital offense in Copiah County?—A. Yes, sir; when committed on a house in which some person resides—a residence.

Q. Is it bailable under your law?—A. No. A man is entitled to bail under our law, except in cases punishable by death, and, then, unless the proof is evident or the presumption great. It would stand just like a murder case I should say.

E. A. ROWAN affirmed and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live in Copiah County, in the southern part of the county, near Wesson.

Q. Have you lived there some years?—A. Yes, sir; nearly sixteen years; I was born and raised in the county.

Q. Are you a member of the legislature from the county of Copiah now?—A. Yes, sir.

Q. Is this your first or second term?—A. It is my second term.

Q. Were you elected at the election last fall, the election of November, 1883?—A. Yes, sir.

Q. You were candidate on the Democratic ticket?—A. Yes, sir.

Q. Did you canvass that county?—A. I did.

Q. What was the character of that canvass in that direction, so far as you saw it, quiet and peaceable, or otherwise?—A. The canvass was conducted very peaceably, so far as my personal knowledge goes, and I canvassed the county all over. The opposition made the first appointments, and invited our party to meet them. We met them at every appointment, and ended the canvass about two weeks before election. After that a series of appointments were ended at Crystal Springs. Mr. Guynes, my colleague, and myself canvassed the county tolerably a second time during the two weeks before the election. The opposition made no other appearance in the field that I know of.

Q. What was your opinion from the canvass as to the probable result of the election?—A. I thought it was the grandest political victory ever achieved in the county.

Q. Was it your belief from the canvass that you could carry your

party ticket in the county in a perfectly fair and free election?—A. Yes, sir; it was.

Q. Did you know J. P. Matthews?—A. Yes, sir.

Q. Were you engaged in the political canvass of 1875?—A. Yes, sir; very much so.

Q. Was Mr. Matthews in it?—A. Yes, sir; he was.

Q. Did you have in your possession a circular issued by Mr. Matthews to the voters of Copiah County in 1875?—A. Yes, sir; I did, handed to me by his brother, handed to me on the cars.

Q. Did you give it to the Wesson Herald for publication in 1881?—A. Yes, sir.

Q. Is that the circular [handing a paper to the witness]?—A. (After examining the paper.) Yes, sir; that is the circular.

Q. You got your copy of it, you say, from Mr. Matthews's brother?—A. Yes, sir. Mr. Gall, Matthews's brother, handed it to me at Hazlehurst. We were on the cars together, and he handed me one, and I sat on the seat and read it.

Mr. JONAS. I will read this—

☞LET HER SLIDE.☜

To the voters of Copiah County:

On account of sickness, and arranging the tax-books, and our court coming on, it is impossible for me to see all, and there has been a great many false reports circulated to injure me, I take this method of correcting them. In the first place there was a report circulated that I had sent for all the colored men to come to Hazlehurst on the 11th of September, armed, the author of which could never be found; the intention of which was to prevent the colored people from coming to the speaking. I supposed to be a trick of the Democratic executive committee to stir up the people and an excuse to buy guns to try to intimidate the Republicans.

2d. The brave and heroic Dr. E. A. Rowan, who (he says) slapped Ras Wheeler in the mouth, and backed old Tom Wheeler out, and candidate for the legislature, and says when he gets there he will have a law passed to prohibit any man from buying a warrant for less than its face value. How simple the man. Says he would not do such a thing; it is wrong; but forgets to tell that I waited with him for part of the tax-list he paid, so as he could buy some more warrants, as he had not purchased quite enough; so he is one of the speculators. This man has been going around over the country telling, willful, malicious lies on me, some of which I will mention, and, at the same time, says he ought not to be held responsible for them as he is representing the people. For instance, at Brown's Store he said that I had forged J. C. Martin's name to tax-receipts, and when informed that it was a lie, he stated that J. A. Lampkin, of Beauregard, was his author, and went further to say that J. F. Thompson was L.'s author. Knowing or believing that L. was a gentleman, I dropped him a note to know the facts. Rowan came to answer for L. I telegraphed L. to answer my note; he replied Rowan would answer it. I telegraphed for an answer again. L. dispatched: "I repeated to Rowan what Frank Thompson said. J. A. L." I dispatched to L.: "Did Thompson say I forged tax-receipts?" I then telegraphed for an answer; none came. I then telegraphed demanding an answer. L. answered: "Not answering your demand; but I and three or four others heard Thompson say so." So you see it is hard to get at these things; and finally it rests on some outcast that would disgrace any gentleman to notice.

This man, James Franklin Thompson, I will tell you who he is. He is the man that a few years ago was thought and believed by the community to be the assassin of Jasper N. Decell, a young man raised in the lower part of Copiah, and a harmless man. My reason for believing it is, Decell told me not more than one hour before he breathed his last that Thompson was the man that killed him, and I believe the dying man told the truth; he also gave the cause, which I withhold for the present. And even this year, Thompson induced his old aunt to move to his place to live with him; and as soon as he got what the old woman had, he shoved her off the door-step, dragged her to the gate, and throwing a few of her things over the fence, drove her off, claiming that the most valuable was his—that she had given them to him. Thus we see he robbed his old aunt. My author is old aunt Nancy Minton, his aunt that was bruised by his hands and brutally robbed. Now, I denounce the author of the forgery a base liar and a cowardly brute, and I believe that Rowan knew it was a lie, but told it to obey his master, and try to injure me.

Then I have understood Judge Mayes has been ventilating me considerably, and has talked some about my old father. My brother-in-law ought to go slow. He knows I have taken him out of the gutters in his sprees, when no decent man ought to have touched his filthy carcass, and defended him when a candidate for office to keep out of the army, when the people charged him (pretty justly) with stirring up the old bank claims and oppressing them, and stirring up the Leonard suits which unsheltered such men as old William Brown and John Blankenship and the old widow McLurg, and a great many others. Now, judge, go slow on my old father; you got his land. But you are at liberty to ventilate my record from 1840 to date. While I have done many things like these, I have regretted the necessity, but never the act.

Then there is King, the old war horse and the acknowledged leader of the party.

Mr. JONAS. Who did he mean; Ben King, of Copiah county, who was the Independent candidate for governor in 1881?

The WITNESS. Yes, sir.

Mr. JONAS (continuing to read):

A man who is never at peace or on friendly terms with any two members of his family at the same time: a man whom I am informed preferred staying all night with John Hennington (a very clever colored man, I must say) in preference to staying with his own color, I suppose trying to carry his party down to social equality; he is the man that bought his gold pen to sign the ordinance of secession, and done as much as any other man to tear down the best Government in the world and bring on the war, and done as little to defend his country as any other. He volunteered and went off as first lieutenant, and induced every poor boy and man to go with him, as the people had confidence, in him was anxious their boys should go with him, but when the regiment was formed, and he got beat for major, like a cowardly brute slapped a poor soldier in the mouth with his sword, left the poor boys intrusted to his care, resigned; and come home, and ran for petty office to keep his corrupt carcass whole; but the people that had intrusted their children with him repudiated him, and then we find him in the militia where he got the name of colonel, that he now disgraces, and never was during the war in range even of their largest guns, and now has a large store and a deed of trust on the shelter of every widow and orphan of the Confederate dead in his reach, and buys widows' and men's warrants as cheap as my father does, and instead of paying them the money like a gentleman, he gives them goods out of the store at about three prices, when the fact is what hurts King, he can't get all; you get more for a warrant at 50 cents in money than 75 cents in trade; but my father always paid as much in cash as King did in goods; there is no man that buys more than King and pays his customers' tax with them; and in addition to getting the par value he charges 15 per cent., which he gets for every warrant he buys at 25 cents, $1.15; if he tells you he gives you the face the trade brings it to 25 cents.

King is also the man that run a doggery in partnership with Jo. Goodman, a negro, near Pine Ridge, and sold negro's whisky to boys for cotton, knowing it was stolen, and the poor negro stands indicted, when King, the professional foreman of the grand jury, ought to be; also he is the man that imported one of his nephews, in the shape of a human being, by the name of W. K. Deason, to Beauregard, to act as mayor, as the honest people had elected a man that would not call him master, and his nephew was allowed double fees in violation of law, and thus this leader robbed the honest people; even when the court stopped his carpet-bag mayor, then the robber called the council and repealed all the town ordinances, and the corporation has no laws, except some minor ordinances to-day. He is also telling around that I willed one of my brothers a sum of money to kill him and the executive committee. He lies. My will is, that when King and the executive committee hire me murdered, as I have heard that they intended doing, then, in that case I wanted my family to appropriate all I owned to have their families to feel the need of a father as well as my little children.

Now, these are the men that are going round abusing me and my family, and telling their lies, simply because they can't rob the county as it was when they had J. C. Martin in, that they, and especially King, controlled.

I was born and raised here in your midst, and I have tried to serve you as sheriff in the past so as to offend none. I have never allowed my politics or anything else to influence me, but tried to do my duty towards every man. I have no ill will towards any man on account of his views. I have always deemed it my duty to accommodate every man, and have always done so regardless of political differences, and I do not believe any Democrat can say he ever knew my politics by my acts in the office, or in any of my private or official acts with them, and if I am elected, gentlemen, I pledge you, as in the past, I will serve to the best of my ability, and not a single man shall know my politics by my official acts.

I never was a Democrat or a Secessionist. I always do what I believe to be right. My opponent, Mr. Cook, is a clever man, although he wears his red pants, which, in

my opinion, means another war; but he done no fighting in the last, and was not, like myself, crippled.

Now, compare my record with his, and if you can conscientiously vote for me and I am elected, I stand ready to accommodate all men of all parties officially alike, and no man will be more thankful than your humble servant,

J. P. MATTHEWS.

Mr. FRYE. What is the date of that?

Mr. JONAS. The date of that is 1875. It was republished in 1881.

By Mr. JONAS:

Q. I find in this paper also a letter of acceptance from Ben. King of August 10, 1881, dated at Beauregard, Miss., accepting the nomination for governor. You saw that also published in the papers at that time?—A. Yes, sir.

Mr. JONAS. I will read it:

BEAUREGARD, MISS, *August* 10, 1881.

To Messrs. John T. Hull, J. R. Yellowly, J. B. Deason, J. P. Matthews, and J. Taylor, Committee:

GENTLEMEN: In answer to your request for the use of my name by the National Greenback Labor party and the Republican party as a candidate for governor, I reply that, in view of your request and like requests made by the Democrats and Conservatives, I consent; it being understood that I am neither a Greenbacker, Republican, or Democrat, but a Conservative, pledged, if elected, to use all the executive power for those fundamental principles of a republican form of government, a free ballot and a fair count, and free speech, equal protection of the law of the persons and property and rights of all citizens.

BENJ. KING.

Mr. JONAS. Is that the same Benjamin King that Mr. Matthews alludes to in his letter?—A. Yes, sir.

Q. A merchant in Copiah, and the old war-horse and acknowledged leader of the party?—A. Yes, sir.

Q. Is this the same J. P. Matthews who called on Mr. King as a committee asking him to run for governor?—A. Yes, sir.

Q. And that is the letter of acceptance?—A. Yes, sir.

Mr. FRYE. Does your witness mean to say that J. P. Matthews secured the publishing of this in 1881?

Mr. JONAS. In 1875 this witness gave that paper a copy of the circular which he had in his possession, and which he got himself from Mr. Matthews's brother.

Mr. FRYE. Do you mean to have the witness testify that Matthews was circulating that in 1881 or circulating it in 1875, or that he gave him a copy in 1881?

Mr. JONAS. No, he gave it in 1875.

The WITNESS. He gave it to me the eve before the election in 1875.

By Mr. FRYE:

Q. But it was not published by Mr. Matthews's request in 1881?—A. No, sir.

Q. But that is in a Democratic paper?—A. Yes, sir.

By Mr. JONAS:

Q. Do you know to what extent that circular was distributed in 1875?—A. To a considerable extent, I suppose. Mr. Gall Matthews was giving them out promiscuously when he gave me one.

Q. It was a printed circular, you say?—A. Yes, sir; a printed circular.

By the CHAIRMAN:

Q. You say this was the most glorious victory that ever was in your part of the world, I understand you?—A. Yes, sir; I say it was one of the most glorious.

Q. You do not refer, of course, to your own election to legislature?—A. Not at all, sir.

Q. But to the entire victory?—A. Yes, sir.

Q. Did you take a pretty active part in that canvass?—A. I did.

Q. Were there any joint discussions for the last fortnight before the election?—A. No, sir, I think not.

Q. Was there a Republican meeting held or speech made in your county within the last fortnight before the election?—A. I cannot say positively.

Q. Do you know why the Republican meetings stopped?

The WITNESS. Do I know why they stopped?

The CHAIRMAN. Yes; why they stopped a fortnight before the election?

A. Well, I will be candid with you, sir; I think it was because they felt that our side had so defeated them in the campaign, and proved up their corruption so conclusively, that they thought it was no use before the honest people of Copiah County to make further contest.

Q. The Democrats went on with their meetings up to the time of the election?—A. Yes, sir; we did.

Q. Were you one of this mounted company which went about the country?—A. No, sir; I was not.

Q. Did you see that company anywhere?—A. No, sir; I did not.

Q. Did you not address them or make a speech to them at Goff's store?—A. I made a speech to a very respectable audience there.

Q. Was that very respectable audience armed?—A. They had arms; yes, sir.

Q. Guns?—A. Some of them had guns.

Q. And cannon?—A. I do not think there was any cannon there that day.

Q. Simply guns and pistols?—A. I did not see any pistols, but there were guns there.

Q. What time was it?—A. I think it was on the 27th of October, if I mistake not.

Q. What day of the week was it?—A. It was on Saturday, I believe.

Q. About ten days before the election?—A. Yes, sir.

Q. What time of the day was it?—A. It was about 2 o'clock, I think, that I addressed them—perhaps earlier than that.

Q. Who else addressed them?—A. My colleague, Mr. A. B. Guynes.

Q. Who was in command of that company?—A. I do not know; I think there was a part of three Democratic clubs there—perhaps four.

Q. Were they on horseback?—A. I think the most of them came there on horseback.

Q. How many were there of them in the crowd?—A. I don't know exactly; I suppose about forty or fifty; there might have been more than that there.

Q. Can you give the names of any of them?—A. I can give you the names of a good many who were there.

Q. Was Ras Wheeler there?—A. No, sir; he was not.

Q. Was Mr. Bailey there?—A. I do not think Mr. Bailey was there.

Q. Where is your residence?—A. My residence is in the southern part of the county near Wesson.

Q. You were not at the meeting at Hazlehurst after the election?—A. No, sir.

By Mr. SAULSBURY:

Q. You spoke about there being arms there. Do you know whether or not the persons who brought their arms there had heard the rumors

that the meeting was going to be interrupted by the other side?—A. I heard that. I will state in this connection that the Republicans or Independents, as they termed themselves, had had a meeting there previous to that, and there had been considerable confusion and bulldozing, as it is ordinarily termed by that crowd, and we had heard that we would not be allowed to speak if we went there.

Q. And that was the reason you understood that the men carried the guns there?—A. That was the reason.

Q. It was not all that went there to hear you speak who carried their arms?—A. No, sir; not over half of them.

By the CHAIRMAN:

Q. You say bulldozing. By what party?—A. By the Republicans.

Q. Who had been bulldozing?—A. They threatened some of the Democrats who had been there that day.

Q. Did they inflict injury on any of them?—A. No, sir; neither did the Democrats the day I spoke there inflict any injury or intend to.

Q. But at the time you spoke you understood the Republicans had got so convicted of their corruption and wickedness that they had given up the campaign; I understood you to say that?—A. Yes, sir; I said that.

The CHAIRMAN. But although they had given up the campaign in despair you still thought those people would come there and break up your meeting, and therefore you went there armed with shot-guns. That is all.

E. G. WALL sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live in Jackson, Miss.

Q. Do you hold any office?—A. I am commissioner of agriculture and immigration for the State of Mississippi.

Q. Are you a citizen of Hinds or Copiah County?—A. I am a citizen of Hinds County now.

Q. Did you know J. P. Matthews, of Copiah County?—A. I never met him but once in my life, and that was in Jackson, I think, the latter part of August, 1881, and I shall never forget seeing him.

Q. Did you have any conversation with him?—A. Yes, sir; he had a conversation. He addressed his conversation to me; I had very little with him.

Q. Who else was present at that conversation?—A. I think Mr. Henry Muller, of Jackson, and three or four others. Mr. Johnson, deputy auditor, was sitting by me when Mr. Matthews came up in front of the hotel at Jackson. I was boarding at the Spangler House and was sitting in front of the hotel and Mr. Matthews came up and Mr. Johnson introduced me to him. I had never seen him before, and did not know him at all, and in introducing him Mr. Johnson said, "Mr. Matthews, how can you support Ben King now when you got out that terrible circular about him a few years ago?" Mr. Matthews, in answer to him, says, "Oh, that is all a pack of lies; now Ben King is all right."

Q. He said that in reference to this circular which has just been read?—A. Yes, sir; I understood so. I have heard the circular read often.

Q. Did you see Mr. Matthews again shortly before the election last year?—A. No, sir.

Q. What reason did he give for circulating that circular?—A. He said

he wanted to get up a difficulty with Ben King and his party. King was at that time called the war-horse of the Democracy in Copiah County, and he said that he issued the circular for the purpose of getting up a difficulty with Ben King and his Democratic friends in that county. He then went on to say that King was to come out to this precinct—I think it was precinct No. 3; I do not remember what precinct it was; that he had five hundred negroes well organized in that precinct, and that he had armed eighty of them himself, and that if King took up his circular and got into trouble with him that he intended to kill him and every white man in the county, and he said yes, and they would have outlawed me, and I would have killed every white man, woman, and child in Hinds County. It so exasperated me——

Q. Did he say Hinds County or Copiah County?—A. He said Copiah County. It so exasperated me that I could hardly keep from having a difficulty with him. I feared I would insult him, and he would strike me, and I got up and went to my room out of his way, and I understood he went on with the same conversation to the crowd after I left. Mr. Muller said that he said after he got through with Copiah he intended to march up into Hinds County. That was the first and last time I ever saw Mr. Matthews. That was in 1881, just before the canvass opened.

By the CHAIRMAN:

Q. How many persons were in this company?—A. I think there were five or six that were sitting around the hotel as usual.

Q. Were they persons whom you knew?—A. Only one that I knew who was present.

Q. But the others were white men?—A. Yes, sir; they were white men every one of them.

Q. Was this in a hotel?—A. Yes, sir; in front of the Spangler House.

Q. In the street?—A. Right in front of the hotel there is an awning that we sit under in the afternoons. He came up and took a seat by me when he was introduced by Mr Johnson.

Q. Do you know whether the other people were friends of your friend, or friends of Mr. Matthews?—A. I do not know whether they were or not.

Q. It was just——A. If you will give me time to answer, I will do so to the best of my ability. They had a liquor dealers' convention in Jackson at that time, and there were a great many strangers there, and he was up there, I understood, attending that convention, and a great many of them were sitting around, and the only one that I remember except Mr. Johnson, who left just after he got me into the conversation, was Henry Muller; he was the only one that I remember who was sitting there.

Q. This was a company of white gentlemen, apparently?—A. Yes, sir; there might have been some of the waiters of the hotel around, too.

Q. But these five or six persons who were sitting there with you—I do not mean in your company—but where you were sitting, to whom Mr. Matthews addressed this talk——A. He addressed the talk to me, directly to me, because he was introduced by Mr. Johnson.

Q. And he broke right out to you with that talk, to you, an entire stranger?—A. Well, I was introduced to him by Mr. Johnson.

Q. He said if these men came out there he was going to kill every man, woman, and child?—A. He said he brought out that circular for the purpose of aggravating Ben King and his party in Copiah County.

Q. Did you ask him about the circular?—A. No, sir; Mr. Johnson

asked him, as I have stated in my testimony; that is the way the conversation originated. I had never seen Mr. Matthews before.

Q. Is Mr. Johnson a Democrat?—A. Yes, sir; he is deputy auditor of the State of Mississippi.

Q. He was then a Democrat, was he?—A. Yes, sir.

By Mr. CAMERON:

Q. Do you think Mr. Matthews was killed in consequence of the conversation he had with you in 1881?—A. I cannot say. I was not in Copiah County and I do not know whether he was. I do not think you will find anybody to testify to the killing; I mean the way he was killed.

SYLVESTER GWIN sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. I reside in Jackson, Miss.

Q. How long have you resided in Mississippi?—A. All my life, fifty-odd years. I was born in Mississippi. I have been in Jackson since 1878.

Q. Where did you reside before that?—A. I resided in Lawrence County.

Q. Do you hold any public position in that State?—A. Yes, sir; I am auditor of public accounts of that State.

Q. Did you ever have any conversation with Mr. Matthews in reference to a circular which he issued in 1875, and which has been offered in evidence here?—A. I remember having a conversation in my office. The conversation grew out of a talk we had about the canvass between King and Lowry.

Q. What time was that conversation?—A. In the early part of the year 1882.

Q. What was said in that conversation by Mr. Matthews in reference to that circular?—A. I knew that King and Matthews had been bitter enemies and at that time Matthews seemed to be a warm friend of his, and had been during the canvass of 1881. I asked Mr. Matthews how it was that he and Mr. King were such warm friends now, when they had been such bitter enemies, and alluded to a circular that I had heard that he had written and circulated, and he said to me that that circular was a lie; "What I said in that circular about King is not so; he was a good man then and is a good man now." I said, "Why did you write the circular?" and he said "there was going to be a meeting at my voting precinct, and the mass of the white people there were friendly to me and all the negroes"; that the negroes were all of his friends and most of the white people there at that box, or a great many of the white people, and he said he had that circular issued with a view of carrying it to that box and scattering over the heads of the people, and letting King and his friends see it, and that he hoped that they would resent it, and if they did he would kill every damned one of them, and not only that, but he intended to march through the county killing men and women. I said to him "Print, you ought to be hung for that now, for saying you would do anything of that sort." He and I were on good terms.

Q. Are you frequently in Copiah County?—A. Yes, sir; I have been there often.

Q. Have you a general acquaintance with the people of that county?—A. Yes, sir; pretty general. I was raised in the county adjoining Copiah.

Q. What is your estimate of that county, of the white men and Democrats of that county as peaceable and law-abiding citizens?—A. I do not believe there is a better element of white men anywhere than there is in Copiah County. They have always been regarded as a proud, high-toned people, the people who form the citizenship of that county, it has been so regarded and the county has often been spoken of throughout the State as containing an elegant class of people, always alluded to in that way. It is a large county, and has a great many white people in it and a great many negroes. It is among the largest tax-paying counties in the State.

Q. Do you believe that any large percentage of the white people of that county would encourage or ever did encourage lawlessness and violations of law and order in that county?—A. I do not; on the contrary I believe they would discourage anything of the sort.

By the CHAIRMAN:

Q. You think that you heard that Mr. Matthews had before that time been expecting he would himself be slain in that county?—A. No, sir; I do not know that I had heard of it.

Q. You did not know that he had in 1875 expressed his apprehension that he might be killed?—A. Yes, sir; I heard him say that he and his brothers had entered into a solemn agreement that if either one of them was ever killed that they would avenge his death, and they would not be satisfied with the same amount of blood.

Q. You being a State auditor, I suppose are a Democrat?—A. Yes, sir.

Q. And very well known as a zealous, earnest Democrat, were you not?—A. Yes, sir.

Q. And was so known to Mr. Matthews?—A. Yes, sir; Mr. Matthews recognized me as a Democrat, and I recognized him as a Republican.

Q. Were you alone when you had this conversation?—A. No, sir; my deputy auditor was present and Mr. Adams was present, that I remember.

Q. All Democrats, except Mr. Matthews?—A. Yes, sir.

Q. This was in 1882?—A. Yes, sir; in the early part of 1882—the latter part of the spring, or early summer.

Q. Did it not occur to you as a little singular that this man, who had been under apprehension that he would be killed in Copiah County, in a county where nearly all the white men were Democrats, should tell you that he got up a circular so that he might go through that county murdering and slaughtering; did you not think that was rather strange to tell that to you three Democrats?—A. Yes, sir; I thought so; but that was in 1875.

Q. It did not dawn on your mind that he might be joking?—A. It did not occur to me or carry with it a great amount of earnestness.

Q. He was going through there to carry fire, violence, and slaughter?—A. We were talking, and he was always one of those men who say almost anything that came up, and often was not in earnest.

Q. He was a man who often said most anything that came up, and often said what was not in earnest; but you thought he was in earnest then?—A. I thought he was, and I believe he said that for a purpose.

Q. For what purpose?—A. I think his idea in telling that to me was to convey the idea that he was a warm friend of King's, and that all he had said in the matter before that time was untrue.

Q. For the sake of getting up something for which he could slaughter them?—A. I said I thought he said it to justify his friendship for King.

Q. But he told you, as I understand you, that this circular he got up

with the view of scattering it over the heads of the people at the meeting?—A. Yes, sir; hoping to inflame them in such a way they would resent it.

Q. To provoke a fight?—A. Yes, sir.

Q. And then he was going through the country slaughtering the people?—A. Yes, sir; I do not know that I used the word slaughter.

Q. But slaying or killing people?—A. I said that he said he would go through the country and kill men and women.

Q. You say you think the white people of Copiah County are worthy people, as I understand you, a high-toned and elegant people?—A. I do. I believe the white Democratic people of Copiah County are as high-toned as any people.

Q. Do you think that this thing that you heard Mr. Matthews say or anything else you heard him say is an excuse for killing him in cold blood?—A. No, sir.

Q. Do you think that the persons who after the killing of Mr. Matthews elected the man who killed him marshal of the city were among those high-toned white Democrats that you have spoken of?—A. The people did not elect him.

Q. Well, the five aldermen who did elect him?—A. Of the aldermen who elected him three voted for him and two against him, and saddled him on the people.

Q. Were they high-toned white Democrats?—A. I do not know. The board of supervisors of the county——

Q. But it was the board of aldermen I am asking about. I want to know if they are the average of the respectable and high-toned gentlemen that you speak of?—A. I do not know them.

Q. Do you know the chancery clerk?—A. Yes, sir.

Q. Was he one of that class?—A. He is a very clever gentleman.

Q. And a fair type of the white Democrats of Copiah County, so far as you know?—A. I regard him as a good man.

Q. Do you know the superintendent of schools in that county?—A. No, sir; I do not.

Q. His name, I believe, is D. S. Burch?—A. I do not know but little of him.

Q. Do you not know him by reputation?—A. No, sir.

Q. Do you not know whether he is one of the high-toned and worthy gentlemen you have spoken of?—A. No, sir.

Q. Do you know Mr. Norman?—A. Yes, sir. He is the chancery clerk. He has always been regarded as a very good man. I have always so regarded him.

Q. Do you know Mr. Birdsong?—A. Yes, sir.

Q. Is he a fair type of the high-toned and elegant gentlemen you have spoken of?—A. I regard Mr. Birdsong as a very clever man.

Q. The remark you use that a man is high-toned does not give us a very good description of him.—A. He is a fine gentleman in any community.

Q. And you think the Democrats of Copiah County are about such specimens of high-toned excellent men as Mr. Birdsong and Mr. Norman?—A. I consider them as clever and high-toned people as you would find in any community.

By Mr. SAULSBURY:

Q. Do you state that the people of Copiah County did not approve of the action of the board of aldermen in appointing Wheeler marshal?—A. Yes, sir.

Q. Was it not generally condemned by the people?—A. Yes, sir; it was generally condemned by the people, those that I heard speak of it.

By the CHAIRMAN:

Q. Do you know of any Democratic gentleman, high-toned and elegant, elected to office in that county, who declined to take his office after that election?—A. I do not remember.

By Mr. SAULSBURY:

Q. Did you ever hear that President Hayes had declined to take the office of President after it had been given to him by the Electoral Commission against the wishes of the people of this country?—A. I never did, sir.

WIRT ADAMS sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Jackson, Miss.

Q. Have you lived there for a number of years?—A. I was born in Mississippi.

Q. What office do you hold?—A. I am in the State revenue office.

Q. Will you state what you know in reference to the indebtedness of Mr. Matthews to the county of Copiah? Did you investigate it?—A. I did not make the investigation myself; it was Mr. Echols who made the investigation at the time, but I took charge of the office shortly before his death and am conversant with the affairs of the office.

Q. It came immediately to your knowledge afterwards?—A. Yes, sir. It was in 1880 that Mr. Matthews's accounts were examined, and he was found to be behind in the accounts a little over $3,100, and the revenue agent in settling the account of Mr. Matthews made an allowance which he claimed (which the court has allowed him) of some $1,900 for jail fees and bailiff fees or for feeding prisoners, I think. And Mr. Matthews paid the revenue agent, after making his allowance, $1,207, which was a deposit over and above his allowance and about $446 in cash interest.

Q. Is that a memorandum of the settlement, a copy certified by you [handing a paper to the witness?]—A. (After examining the paper.) This is a copy certified by the revenue agent and drawn up by me, and Mr. Matthews's agreement with the State and the revenue agent's receipt.

Mr. JONAS. This is the memorandum referred to. I want it to go in the record:

Whereas Wirt Adams, as revenue agent of the State of Mississippi, has examined J. P. Matthews's accounts as sheriff of Copiah County, and found that said Matthews is indebted to the county of Copiah in the sum of twenty-two hundred and twenty-eight dollars and eight cents; and, further, has found an amount by approximation to be due of nine hundred and forty one and $\frac{75}{100}$ dollars, the last amount being for funds collected on which the town of Hazlehurst was exempted, and the assessment-rolls do not show the property in the town of Hazlehurst separately; making a total of the sum of thirty-one hundred and sixty-nine dollars and sixty-one cents due said county;

And whereas the said J. P. Matthews now holds two accounts properly certified to, against said county, for the sum of nineteen hundred and sixty-two dollars, which accounts said Matthews claims to be due and unpaid: Now, in consideration of the above-stated facts, the said Matthews agrees to pay the sum of thirty-one hundred and sixty-nine dollars and sixty-one cents, if the said revenue agent will receive the said accounts due him, Matthews, as part of the amount due the county, viz, said Matthews agrees to pay the sum of twelve hundred and seven and $\frac{61}{100}$ dollars in cash, with interest at 8 per cent. per annum from April 13th, 1876, and pay the two accounts, amounting to the sum of nineteen hundred and sixty-two dollars, making an aggregate of thirty-one hundred and sixty-nine and $\frac{61}{100}$ dollars, in full of all demands against said Matthews as sheriff and tax collector of Copiah County, during the time for which he served as such.

J. P. MATTHEWS.

Received, Hazlehurst, Miss., November 30, 1880, of J. P. Matthews, late sheriff of Copiah Co., the above sum of $1,207.61 and $446.77 interest thereon; total $1,654.38, payment in full as per above agreement.

WIRT ADAMS,
State Revenue Agent.

Received, Hazlehurst, Mississippi, November 30th, 1880, of Wirt Adams, revenue agent, of the State of Mississippi, payment in full of two certain accounts described in a certain file of papers in the circuit court of Copiah County, the same being file No. 11498, and being the case of J. P. Matthews against the board supervisors of Copiah County; said accounts are in account for $694.00 allowed to said Matthews as sheriff and bailiffs' account by the circuit court of said county at the Oct. term, A. C. 1875; also an account allowed said Matthews at said term of court on account of jail fees for $1,268.50.

J. P. MATTHEWS.

OFFICE STATE REVENUE AG'T,
Jackson, Mississippi:

The above is a true and correct copy of the settlement made with J. P. Matthews, late sheriff of Copiah County, Miss., including his receipts, as the same appears of record now in my office.

WIRT ADAMS,
State Revenue Agent.

Q. You say that the court allowed Mr. Matthews $1,900. You do not know that fact?—A. It was said that it was certified, that the revenue agent in settling the account allowed him that amount.

Q. Were you ever at any time present at a conversation between Mr. Matthews and other persons in reference to a circular issued by Mr. Matthews denouncing Mr. King and others in 1875?—A. I was in the auditor's office at the time that Mr. Matthews had a conversation with Captain Gwin, as he has mentioned.

Q. State what Mr. Matthews said on that occasion.—A. I was standing near by, and I heard Captain Gwin ask Mr. Matthews why it was that he had been so bitterly opposed to Colonel King, and how it was that he was advocating his claim now, when he had issued this circular against him. Mr. Matthews replied that the circular was false, and it was done for the purpose of exciting King's friends, whom he thought would be present at a meeting that would be held in his ward or beat at that time; and at the time he had the most of his friends, the majority of his friends and negroes armed, and if they made any resistance they intended to kill them, and that he would not stop there, but he intended to go through the county killing men and women. That is the conversation.

Q. What time did this conversation take place?—A. I cannot remember the exact date; but it was some time in 1882, in Jackson, Miss., in the auditor's office.

Q. Did he make any further reference to it?—A. No, sir; I did not hear him.

By the CHAIRMAN:

Q. Did you joke him about this circular?—A. No, sir; I did not joke him myself. I did not know him personally.

Q. Did anybody?—A. I think Captain Gwin and himself were just holding a conversation there. I do not remember they were joking him at all.

Q. You do not know whether he did or not?—A. No, sir.

Q. Did you know Mr. Matthews?—A. I had no personal acquaintance with him.

Q. You did not know that he was a man who sometimes said things that he did not mean, by way of joke?—A. I knew that was Mr. Mat-

thews talking there at that time, but I did not know his style of conversation at all.

Q. This claim which Mr. Matthews made against the county for his jail fees, his set off, as we call it, you regarded it as a just one and an equitable one, did you not?—A. It was allowed by the advice of Judge Cooper, who was the attorney.

Q. You agreed with that advice, that it was equitable that he should have it?—A. Yes, sir; it was allowed to him in that way.

Q. Did you allow Mr. Matthews all that he claimed, or was part of his claim deducted in his settlement?—A. I think he was allowed all that he claimed. He was allowed nineteen hundred and some odd dollars.

Q. Then he made no extravagant or unfounded claim, so far as you know?—A. No, sir. The claim was thought to be a just one, or it would not have been allowed.

Q. But the county had endeavored to defeat him in regard to that claim by carrying it to the supreme court on a technical question as to whether he could recover it without first paying what he owed, did it not?—A. I believe he had a suit with the county, but I do not know anything about that.

Q. The county had never sued him so far as you know, but he had sued the county?—A. I think he sued the county.

Q. And the county had rested solely on that technical ground?—A. Yes, sir.

By Mr. JONAS:

Q. The county was not aware of his indebtedness until you examined his accounts?—A. Not until the revenue agent examined his books.

By Mr. CAMERON:

Q. Do you know whether the county knew it or not, of your own knowledge?—A. No, sir, I do not; but I base that upon the presumption that they would have brought suit if they had.

S. S. CALHOUN sworn and examined.

By Mr. SAULSBURY:

Q. Where do you reside?—A. I live in Jackson, Miss., have been living there for a year and a half.

Q. What has been your profession or business?—A. I am a practicing lawyer at Jackson.

Q. Were you ever upon the bench of your State?—A. Yes, sir; I was on the bench for about six and a half years. I served one full term and was reappointed in May and resigned the 15th of October.

Q. What counties were embraced in your judicial district?—A. The ninth district embraces the counties of Yazoo, Madison, Hinds, and Copiah.

Q. How often do you hold court in Copiah County?—A. Twice a year.

Q. You were in that county holding the terms of that court twice a year; on any other occasions?—A. I hold two terms a year; I am not sure that I have held a special term in Copiah.

Q. Had you an opportunity of becoming pretty well acquainted with the people of Copiah County?—A. Yes, sir; I knew the population of that county by their general appearance, and was acquainted with nearly all, if not all, of the prominent men of the county. I had such acquaintance with them as a circuit judge would naturally have of a people over whom he presided.

Q. What is your estimate of the white people of that county as good, law-abiding citizens?—A. I regard them as fairly up to those of any county in the State. The truth in reference to that is, I think the people are very much the same the world over. You will find about the same of good and evil in all civilized countries, and Copiah County stands about as well as any of them that I know. Of course there are counties perhaps in the State, and many counties in other States, which have had greater advantages than Copiah County, and that may be more elevated in point of education and general enlightenment. But I think as good, honest people, they will compare well with any people I know of. There are bad men there and good men, in about the same proportion as elsewhere.

Q. Were you acquainted with the Matthews family, with Print Matthews and the other members of his family?—A. I knew Mr. J. P. Matthews, and I knew Mr. Gall Matthews and Mr. Leon Matthews. I knew Mr. Leon Matthews rather less than the other two. I was better acquainted with Print and Gall Matthews than with Leon Matthews. And then I know one or two young men who are sons of Print Matthews, slightly; I have met them. They are very nice young men, apparently.

Q. Do you know what the reputation of these gentlemen were as peaceable and quiet citizens in the county?—A. Yes, sir; I think I knew the character of Mr. Matthews in this way: I have heard it discussed repeatedly, and his different attributes, I could not say by how many or whom. I know his reputation about as I would say that I knew your reputation, though I never saw you until a day or two ago, by having it discussed and talked about.

Q. Was he regarded as a man who sought to promote public order, and the observance of law in the community in which he lived?—A. It is a little difficult to give you a very accurate idea of what his character was. It was about this; He was regarded as a pretty good-hearted sort of a man, but a violent man. He was regarded as a man who was not elevated; not a bad man in some points of view, but not an elevated man; as a man who didn't scruple much to accomplish his purposes, whether they were political or private. He was regarded as a proud man; as something of a trickster. But still he was a social man, and people generally liked him. There is no doubt about one fact, that Mr. Matthews was regarded as a somewhat violent man, a dangerous man, and it was also understood that he was vindictive; he would get even with men if he could. That is true of his character, sir, I think.

Q. Do you know Mr. Burnet?—A. Yes, sir; you speak, I suppose, of the Mr. Burnet who has been spoken of in the papers in connection with this case. Yes; I know him. I first became acquainted with Mr. Burnet, as I recollect it, as a practicing lawyer at Raymond. I think he lived in that neighborhood somewhere. He was practicing there in the justices courts, and on appeal cases to the circuit court of Hinds County, and my recollection is that he moved to Copiah County the last year I was on the bench.

Q. Something has been said about a case which he tried in your court in reference to a note purporting to be a note of Burnet & Brothers. Please state what you know about that case.—A. There was a case in that court at Raymond which created a good deal of scandal among the bar at the time, I remember. I am not prepared to say that I can give you accurately a history of the transaction; the record will show for itself. I can only state my best recollection about it as it developed itself before me, and it is not improbable that I may be mistaken in

some of the features in the case. This is my recollection of it: Mr. Burnet had two brothers, and they were sued on their order, as I recollect it, for a shipment of goods to them. To that order their name was signed, J. R. Burnet & Brother. When the suit was instituted, the Messrs. Burnet, or one of them, and the one who was the owner of the property—I think, one of them was insolvent and the other owned some property—it was set up that it was not the signature of the firm; that that firm did not exist; that it had been signed without authority, and it transpired in the course of the trial that Mr. Burnet himself signed it J. R. Burnet & Brother. The effort was made on the part of the defendants to saddle the whole responsibility on the Burnet who had no property, and his name was interlined and written above the Burnet & Brother signature. I have forgotten his name. I believe it was J. R., but it may have been the other. At any rate that name was interlined, and he was the one, according to my recollection, who was without property or means, and on whom it was attempted to saddle it. It appeared in that litigation that Mr. Burnet signed the name of J. R Burnet & Brother.

Q. Was that interlineation made after the paper became a paper of the court, do you remember?—A. I could not state positively whether that was done before or after the litigation; I cannot state as to that. If I were to state anything about that it would be mere impressions, and I do not think I ought to state them.

Q. I ask you whether the connection of Mr. Burnet with that transaction was not a public scandal to the bar of that county, and whether you, as judge, did not have at the time consultation in reference to the propriety of striking him from the roll of attorneys?—A. It did produce a scandal, and there was some conversation with me by gentlemen of the bar on the subject of the propriety of striking his name from the roll of attorneys. He was a young lawyer at the time, and it did not occur to me, perhaps, that he was himself aware of the exact status which he occupied in reference to it; perhaps he did not have a proper appreciation of the real situation in which it placed him. I know while I considered it, and conferred with counsel about it, I rather dissuaded the suggestion that any motion should be made, and declined to act on my own motion under the circumstances. I knew very little of the young man at the time. What I did know of him was by his own personal demeanor and manner up to that time, which was pleasing enough.

Q. Do you know what the standing of Mr. Burnet was among the members of the bar or in the community at Hazlehurst?—A. Yes, sir; I knew his standing among the gentlemen of the bar at Hazlehurst and at Raymond, and to some extent at Jackson.

Q. From what you know of that character of his in the profession in which he was engaged, or his reputation in that profession, I ask you the question whether it is good or bad for truth and veracity and integrity?—A. I never heard Mr. Burnet's character for truth and veracity discussed, except at Raymond: Gentlemen of the bar there—I have heard some two or three of them discuss it, and pretty plainly state what their opinion was. I never heard his character for truth and veracity discussed at Hazlehurst or at Jackson that I now recall; at any rate not until these proceedings. I speak now of what was said about him two or three years ago.

Q. From all you know of Mr. Burnet, of your own knowledge and from the reputation which he sustains, I ask you the question whether you would believe him upon oath?—A. I will state this in reference to that: Our opinions of men are all formed on what is stated. I could

not say that I would not believe Mr. Burnet on oath. I would only speak from what others have said of him. His testimony, as a matter of course, from what I have heard stated, I would receive doubtingly, and would scrutinize it closely; speaking exclusively from what I have heard others say of him. I am not prepared to state that I would disbelieve Mr. Burnet on oath.

By the CHAIRMAN:

Q. Was not Mr. Print Matthews a very generous, warm-hearted man?

The WITNESS. Mr. J. P. Matthews?

The CHAIRMAN. Yes.

The WITNESS. I knew Mr. Matthews pretty well, as an acquaintance, and I always liked him pretty well. I had this idea about him——

Q. I am confining myself now to this particular point. You have made a general statement in answer to the questions of Senator Saulsbury. Now, I would like to inquire about particular traits—whether he was a generous and warm-hearted man?—A. I think he was regarded as a liberal man.

A. Willing to do his neighbors a favor?—A. I think so; where his prejudices were not aroused.

Q. Political strife runs very high in your State since the war, does it not?—A. Yes, sir; since 1875, particularly.

Q. A great many of your worthy people have believed that not merely the ordinary political status which we discuss with a good deal of zeal everywhere, but that your civilization itself was in peril; they have believed that, have they not?—A. Yes, sir.

Q. And have considered that strenuous and extraordinary exertions were required to save it, more than you would have put into a political campaign, for instance, when Clay was a candidate years ago, or in those days?—A. Yes, sir; I think so.

Q. And it has led to the sundering of social connections and the creation of bitter feelings between the whites who were Republicans and those who were not, in many localities, has it not?—A. I do not think that that has resulted. The personal associations of men who are regarded with extreme disfavor on account of their political course are not so much affected. I am familiar with men in Copiah and Hinds Counties, and I can say the same with reference to Mr. Matthews that, personally, they were not tabooed, and good fellowship existed, I think, between them.

Q. Was Mrs. Matthews connected with one of your best Mississippi families?—A. I think so, but I am not sure. She stood very high, indeed.

Q. Would not Mr. and Mrs. Prentiss Matthews, apart from politics, have been received as a gentleman and lady into good society in the county of Copiah at any time since you have known them?—A. I think so, decidedly; Mrs. Matthews, decidedly.

Q. How about those two boys in college?—A. I know nothing in the world about them, except I have met the young men once or twice and was favorably impressed with them, decidedly.

Q. They seemed to you to be rather remarkable models of fine-looking young gentlemen, did they not?—A. They impressed me favorably, both of them.

Q. How is it with Leon Matthews, the brother, who was candidate for sheriff; did you know his standing?—A. Yes, sir.

Q. Does he not stand even with less of this political feeling against him than his brother Prentiss had?—A. Yes, sir; I think Leon Mat-

thews had a very fair character, indeed, in Copiah County; I mean as a man. Politically, of course, whenever—perhaps I would have to be a little too prolix to give you an accurate idea of that as to the difference between a man's personal standing and his political standing.

Q. I do not ask this question as having any doubt about the answer, but merely to put it in the record. I ask you whether you do not entirely disapprove and abhor the crime of killing Print Matthews?—A. Yes, sir; utterly, as all good people do everywhere in the world.

Q. Now, in regard to this matter of Mr. Burnet. Was there any claim whatever that this Mr. Burnet who has testified, and who now sits near me, had signed that note himself?—A. My understanding was that Mr. Burnet himself signed the name of Burnet & Brother to it, and signed the name of one of his brothers just above the Burnet & Brother signature. I regret having been interrogated about that from the fact that the record is there, and there are witnesses who can remember with accuracy the details of the transaction. My recollection is general of the cases that came before me.

Q. Now, was not this the claim: that J. R. Burnet admitted that he was the debtor on that note?—A. One did admit that, and I think J. R.

Q. Was not J. R. Burnet the person who made the manual signature of the name of Burnet & Brother, or after it was signed, and not this man at all?—A. I would dislike very much to do Mr. Amos Burnet any injustice about it, but I can only give my best recollection, and that is, that Amos Burnet signed the name of Burnet & Brother. It may be that he signed the other name, the one interlined. He undoubtedly testified that he thought he had a right, as a lawyer, to do it. There is no question about that.

Q. Was not this paper which A. W. Burnet is said to have signed, not a note at all, but a letter of his brother acknowledging the debt?—A. Yes, sir; I so stated that. I did not say it was a note. It was in the shape of a letter ordering the goods, or recognizing the justice of the demand.

Q. Admitting the debt?—A. Yes, sir.

Q. Was he not sued on the note?—A. Yes, sir; I believe that is the fact.

Q. And that note is signed J. R. Burnet & Brother?—A. Yes, sir; I think so.

Q. Did not Mr. J. R. Burnet admit that he was a party liable?—A. Yes, sir.

Q. Now, was not Mr. J. R. Burnet also the possessor of a plantation, and a man of property, and was not the one who denied the note not a man of property?—A. That may be the case. I can only judge from the character of the transaction at the time and what was said about it.

Q. You cannot be sure that that was not the case. Now, was not the thing which Mr. A. W. Burnet was charged with having written a letter written by his brother, J. R., admitting his claim?—A. It was a letter to a Vicksburg house, as I recollect, which he signed J. R. Burnet & Brother.

Q. Were not one and all of the members of the bar, except Mr. Burnet, at that place Democrats?—A. Yes, sir; I think so.

Q. He was the only Republican lawyer at that bar?—A. I believe there was a Mr. Wharton there then who was an Independent, or Republican, or something. Yes; Mr. Wharton was another there.

Q. He was a Democrat who became an Independent afterwards, was he not?—A. Young Mr. Wharton was understood to be a Republican, I think, but then the balance were all Democrats.

Q. Is it not true that, with the exception of this gentleman who was on General Hardee's staff, who was here yesterday, Mr. Bridewell, and who lived in Copiah County—were not all the lawyers there except Mr. Burnet, Democrats?—A. I think so.

Q. So that he was the only Republican lawyer. Is it not rather the habit of the Democrats of your State to think generally that all Republicans are rascals and thieves?—A. No, sir; I do not think that. There are some who stand very high as men of integrity. The political relations in our State are very peculiar. I do not think the people of the State, as a rule, have much respect generally for men who become Independents or Republicans, but it is not on account of any antagonism to the Republican party or its principles, or any antagonism of the right of a man to be independent in his political convictions. It arises from this, that wherever a man leaves the fold of the Democratic party it is understood, if he is an office-seeker (and he generally wants some office), it is generally understood that his purpose is to band the negroes together as a race to foist himself into office and to rule the people of the State. I think that is the apprehension the people have, and a great deal of the bitterness arises from that.

Q. I suppose so. I would like to go further. Believing that this purpose is to band the negroes against the white men, they consider that that would be a most destructive and injurious thing to the interests of your people, do they not?—A. They do.

Q. And they think that it is not merely an ordinary political defeat, carrying the State by virtue of the negroes, but that it is destruction to civilization itself?—A. They regard it as incendiarism, practically they do.

Q. So that if a white man is a Republican or Independent in Mississippi, he is regarded as an incendiary by many people?—A. No, sir; I do not say that. I know many Republicans who stand very high in the State indeed, socially and as gentlemen.

Q. So you said Mr. Matthews did, but I am speaking politically now.—A. Well, they stand well politically, many of them. Here is what I mean——

Q. But you think they are encouraging incendiarism, do you not?—A. If they undertake to band the negroes together as a race in order to rule the State.

Q. What do you mean by banding the negroes together. Making a speech and inviting them to vote the Republican ticket, is that what you mean?—A. Here is what I mean——

Q. Let me ask you one question first. Do not the Democrats address the negroes sometimes and urge them to vote the Democratic ticket?—A. Undoubtedly.

Q. Is that banding the negroes together, in your judgment?—A. No, sir.

Q. What is the difference between my friend Mr. Jonas going up to your State and asking the negroes to vote the Democratic ticket and my going up there and asking them to vote the Republican ticket, in which case I should be an incendiary and thief? I should like to have that explained.—A. I did not use the word thief. I think I could explain it to you.

Q. I would like to have you.—A. You would have to understand the relation of things here and the history of the party since the war. Both parties here have done wrong; there is no doubt about that, both the Republican and the Democratic party. There are some very good men in the Republican party of the State who have the best interests of the

country at heart and are highly thought of. But immediately after the war there was a belief on the part of a good many of our people that if they went into the Republican party and undertook to manage this population that we had, that good results would flow from it, and some first-rate men in my judgment, went in for that purpose. Now, sir, after that we find the history of parties to be this: That the negro race, ignorant as they were, and believing they owed a debt of gratitude to the Republican party, which need not be troubled with here, they were voted *en masse* as a black race against the whites, and they were taught not to hear the speakers on the Democratic side. They had leagues and met at night and had tickets out. If a Democratic speaker undertook to make a speech—I speak of my own knowledge in one instance, although I have made very few political speeches in my life, but I did make or undertake to make one in 1869 or 1870, I believe, at Madison Station, in Madison County, and a colored club on horseback, with drums beating and fifes playing, marched by to the disturbance of the Democratic gathering there, and there were no men of color at all to hear the speaking that was to be had there that day. Well, all those things you know would be very liable to alarm us.

The CHAIRMAN. I had that once done by an association of Democratic Irishmen who were addressed by Horace Greeley on the opposite side of the square from where I was making a speech, but I did not blow anybody's brains out.

The WITNESS. Well, then, the mere fact of the difference in race. I think there is a kind feeling springing up between the races now. Fusion has done a great deal towards settling these divisions, and if we get things decided our people do not care whether it is Democratic or Republican.

Q. How do you account for the fact that this campaign of 1883, when, as you and other gentlemen have said, Leon Matthews, the only Republican on the ticket, was a very worthy man, and the other witnesses say all the rest of the ticket was composed of very worthy men, that there were five or six hundred Democrats going with the Independent party for the first time; and, as the Democrats say, a considerable number of negroes going with them for the first time, how do you account for it that this campaign, which was dividing the races in this way, where they had both such capital tickets, excited all this turbulence and crime of which we have heard?—A. Well, sir; I do not know in reference to the crime and turbulence either. I know of Mr. Matthews being killed. I do not know of any details of other transactions.

Q. Do you not know of the killing of Wallace, the shooting of Hayes, the flogging of Fortner, and these other offenses?—A. Yes, sir; that has been developed through these witnesses.

Q. But how do you explain that, whether it is true or not, if you think it is desirable to have the two races divide, when they both had such excellent tickets as in this last election?—A. They want them to divide on principle, and not be divided by particular men to foist them into office.

Q. Is it not the fact that the Democrats wish to dictate principles on both sides; that they want to determine whether the candidates on the other side are acting on principle, without leaving it to the voters?—A. Well, to be candid, I think there is some of that sort of spirit abroad in the Southern country, and it has resulted in many of the evils in this regard. I do not think the thinkers of the party or the party itself is responsible for it—those who believe in intellectual encounter; but there are men, of course (you will find them in all countries), who will bring these

questions to physical contest and individual strife, very soon, and they have done it in instances about here; but I do not think it is possible in any quarter of the globe, anywhere, at any time—in fact it is impossible to suppose that the masses of people of the country or leading men would indorse or inspire or get up murders or anything of that sort.

By Mr. CAMERON:

Q. I think you stated that Yazoo was in your circuit while on the bench?—A. Yes, sir; it was one of the counties in that district.

Q. How do the white Democrats of Yazoo compare as to integrity and good character with the white Democrats of Copiah County?—A. I think the white Democrats of Copiah or the white Republicans either, of both counties, stand very well in that reference, as well as anywhere in the United States, or the world, as to uprightness and integrity of character.

Q. Were you on the bench when Dickson was killed by Barksdale?—A. I was.

Q. Was any person punished for that killing—I will not call it murder.—A. There was no indictment ever had.

By Mr. JONAS:

Q. At the time this litigation occurred to which Mr. Burnet was a party, was he a Republican?—A. At that time I did not know what his party affiliations were.

Q. Had he taken any part in politics at that time?—A. I was surprised when Mr. Burnet did develop into a politician, for the reason I had no idea that he was Independent or Republican, and it always struck me with surprise when any home man took that course.

Q. He was not known as an Independent or Republican at that time?—A. Not to me. He may have been known to others.

Q. He would have been, probably, if he had taken that part in politics?—A. If he had been prominent he would, as he afterwards became.

A. F. ANDRE sworn and examined.

By Mr JONAS:

Question. Where do you live?—Answer. In Crystal Springs, Miss.

Q. Have you lived there several years?—A. Yes, sir; twenty-five years.

Q. You are a foreigner by birth?—A. Yes, sir; I was born in Sweden.

Q. Are you a naturalized citizen?—A. Yes, sir.

Q. You know the people of Copiah County pretty well?—A. Yes, sir; I know them.

Q. The white people and the Democrats?—A. I think I know them all.

Q. What kind of people are they? Are they a peace-loving, order-loving people or the reverse?—A. I have found them to be peaceable, good people, as good as I have met with anywhere else that I have been.

Q. You have been a good deal over the world, have you not?—A. Yes, sir.

Q. And lived in various communities?—A. I have lived in Canada, and I lived in the State of New York when I was a young man, and have traveled some in Europe.

Q. And you find these people as good an average class of citizens as you find elsewhere?—A. Yes, sir; as I have found anywhere.

Q. A peaceable, law-abiding, religious people?—A. Yes, sir.

Q. Do you know the Matthews' family, J. P. Matthews and his brothers?—A. I knew them by reputation, and I have met with J. P. Matthews.

Q. Did you know him personally?—A. Yes, sir.

Q. Did you know him well?—A. I had some dealings with him, but of no particular consequence.

Q. What was the general reputation of the family in the community, as a peace and order loving people or the reverse?—A. So far as I knew, Mr. Matthews had a peculiar character; he was well spoken of by many, and very hardly spoken of by some. A great many people thought he was a very violent man, a dangerous man, and others again spoke well of him.

Q. Was he considered by a large portion of the community as a violent and dangerous man?—A. Yes, sir.

Q. Do you know any instances within your knowledge of his violence?—A. No, sir; I cannot say as I do; to me he was always pleasant; I had no unpleasant conversation or dealings with him whatever.

Q. Did you ever have any trouble with any of the members of his family—his brothers?—A. I had with two of his brothers.

Q. Mention the circumstances of that?—A. I was a member of the board of supervisors of Copiah County, and an account came up for expenses, election expenses, by one of the Matthewses, and the board of supervisors referred it to me to report on. I reported the amount I thought was reasonable and correct, and while we were sitting at the table transacting our business J. M. Matthews called me outside the court-house, and said he wanted to see me, and I stepped outside and another of his brothers followed right behind.

Q. Which one was that?—A. I could not give you the name, only I knew from what others said that he was a brother of his. When I came outside he commenced abusing me and cursing me, and I, of course, could not help myself, there was one on each side of me, and, I presume, both armed and nobody else there.

Q. Did they both abuse and curse you?—A. Yes, sir. I do not know that his brother said anything, but J. M. Matthews did, the man who had the bill, and I had to take it.

Q. Did they strike you at all?—A. No, sir.

Q. What did they abuse you for?—A. Nothing in particular, only that I was the cause of all the trouble. He said, "You are the cause of all the trouble."

Q. Because you reported against their bill?—A. Yes, sir; it was something about the election. It was immediately after the election in the county, when we had elected another sheriff and another board of supervisors, and I was one of the newly elected, and had just taken my place on the board.

Q. This man was very abusive?—A. Yes, sir; it was just as genteel a cursing and bad a cursing as I ever had in my life; in fact, I never had been abused by anybody in any country in which I had traveled or in Mississippi. He just cursed me and abused me and damned me and everything else he could think about. I told him I was defenseless and had no way of protecting myself, and he could just continue as long as he pleased, and I had no alternative.

Q. Do you know whether he was armed or not?—A. I was under the impression that they were both armed.

By the CHAIRMAN:

Q. What reason had you to think they were armed?—A. I think I saw the arms. I thought so at the time.

Q. Where did you see them?—A. In their hands and pockets.

Q. Did you see them in their pockets?—A. Well, you can see them when a man holds his hand in his pocket and has a pistol in his hand. I might have been mistaken, but it seemed so to me.

Q. What sort of people are the Republicans in Copiah County?—A. Some are very fine men, indeed.

Q. Well, the general run of them, what sort of people are they?—A. Most of them are rather hard characters.

Q. Can you name one Republican in that county that you think is a fine man?—A. I think Judge Millsaps is a very good man.

Q. He is the Republican who voted the Democratic ticket at the last election. Can you think of any others?—A. I do not know how he voted. I have not taken any interest in politics.

Q. Can you think of any other Republican who is a fine man?—A. I think I know a good many more if I could call the names, but I never have kept account of the Republicans of the county, because I have not mingled in politics.

Q. Can you tell the name of a single person who voted against the Democratic party that you think a fine man in that county?—A. Yes, sir; I think I could, and I know of some who have the name of being Republicans and Independents who are very good men.

Q. Name one?—A. I think that Mr. Bridewell and Mr. McNeil were very good sort of men. They were both candidates. I think they were inveterate office-seekers, and I did not like them on that account.

Q. Politically, you did not think they were fine men?—A. Yes, sir; I had no objections to their politics, but I did not always like to see them seeking office.

Q. Are you a Democrat yourself?—A. Yes, sir; I voted that ticket.

Q. Did not Mr. Matthews claim there had been fraud in your election when you were chosen supervisor?—A. They always claimed there was fraud when they were not elected, and they did at that election, too, and they counted in my opponent at that time, and I had to sue for my office in the courts, and gained it in that way.

Q. He claimed there had been fraud in that election on the Democratic side?—A. Yes, sir.

Q. And you got your certificate from a Democratic court, did you not?—A. No, sir; from a black Republican, the secretary of state, Mr. Lynch. I called there in person myself and got my certificate.

By Mr. FRYE:

Q. Did you never have any trouble with any one else except Mr. Matthews?—A. No, sir.

Q. What?—A. With any one else? I had trouble with a good many persons.

Q. Name some of them.—A. I had some difficulty with Mr. Barnes.

Q. What did you do, try to break his head?—A. I hit him, when he tried to hit me, with an iron square.

Q. Over the head?—A. Yes, sir.

Q. Were you prosecuted?—A. Yes, sir.

Q. Were you found guilty?—A. I was found guilty of assault and battery.

Q. What did you do?—A. I paid up. I had the case arbitrated, because I would not go into court about it.

Q. Who else did you have trouble with?—A. No one else, that I recollect.

Q. Think a minute.—A. I do not recollect.

Q. Did you not cut a man considerably once there?—A. Yes, sir; when he had cut me, a man named Davis. I cut him with a knife that another man gave me.

Q. What kind of a knife?—A. A pocket-knife.

Q. What did he do to you?—A. He cut me in the neck with a knife he had, while shaking hands with me.

Q. Now, there are two; one you hit over the head and the other you cut with a knife. Who else did you hit?—A. No one, that I recollect.

Q. Who else have you cut?—A. No one, that I recollect.

Q. Who else have you quarreled with?—A. No one; I am not that sort of a character.

Q. You are not a quarrelsome sort of a man?—A. No, sir; I am not, but I have always been compelled to defend myself when I have been overrun, because I have had no friends; nothing except my own character and my own right hand.

Q. Haven't you any friends in that neighborhood?—A. I have plenty of friends now, but I have worked my way through the world thus far, and I have paid my way through it, but not by any political moves or by any fighting.

Q. But you are absolutely friendless now in that neighborhood?—A. No, sir; I am not now, but I have been.

Q. How long a time have you been friendless?—A. Probably since I first came there. I was friendless for some years afterwards until I became known.

Q. After you were convicted of assault on Mr. Barnes were you not sued for the assault?—A. Yes, sir.

Q. And did you not refer it to two ministers?—A. No, sir.

Q. What became of it?—A. I referred my side to Judge Peyton, of Copiah County, the chancery judge, and he referred his side to the Methodist preacher, and they brought in $700 against me.

Q. Did you pay it?—A. Yes, sir; every nickel next day. Will you allow me to say why I paid it?

Q. I suppose you paid it because you had to pay it.—A. Yes, sir; I had to pay it, but I paid it for another reason; I did not want to be dragged into court. I did not have the time. I have a little business on hand at home and it takes most all my time to attend to that, and I could not spare the time in the court. A case as big as that was might have taken many a term in court to settle it, and rather than to do that Judge Peyton himself advised me that it was the very best I could do. He said it was unjust. Judge Peyton told me so himself that it was an unjust verdict, but he agreed to it because it was better for me to pay it than to go to court. He said that the court fees and the charges, if the jury only brought in a verdict of 1 cent, would amount to more in time.

Q. More than $700?—A. Yes, sir.

Q. There were charges in addition to that, were there not? You had to pay the referees?—A. No, sir; they did not charge anything, but I had to pay $729 or $730.

Q. Have you paid in any other case?—A. No, sir; I never have been prosecuted in any other case.

Q. Is it not your habit to abuse people?—A. No, sir; I do not think it is, and I am willing to leave that to any man here who knows me.

Q. When you say Mr. Matthews abused you, did you not first abuse

him by talking about the method they had of voting in that election?—A. No, sir.

Q. Did you not say anything about the votes?—A. No, sir.

Q. Did you not charge fraud upon the votes?—A. No, sir.

Q. Then he commenced upon you without any provocation whatever?—A. Yes, sir; without any provocation at all, except what I stated. He called me out and commenced to abuse me. What it was for I do not know, but I take it for granted it was because his bill of charges had been reduced.

Q. How much had you reduced it?—A. I think to about one-fifth or one-fourth of the amount.

J. K. STANLEY sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. In Copiah County.

Q. Have you held any public office there?—A. No, sir; none. I was once appointed justice of the peace under the provisional government of the State.

Q. I mean any office in connection with the elections?—A. No, sir; none whatever. I am no office-seeker.

Q. Were you not commissioner of elections?—A. Oh, yes, sir; that was lately. I thought you had reference to the county offices.

Q. What beat were you commissioner of elections for?—A. I was commissioner for the county.

Q. What do you know about these disturbances?—A. I do not know a great deal. I know some things that happened at our precinct.

Q. State what you know?—A. I would rather be questioned than to make a statement, if you could do it.

Q. Did you give up going on with the election on account of the matter, or make any statement about its being a farce?—A. No, sir. Our box was threatened.

Q. What beat was that?—A. District 4, Green's store.

Q. Threatened by whom?—A. Democrats.

Q. What were the threats they made?—A. They charged me with playing, as they called it, dirt. I being one of the commissioners, on the Monday before election on the following Tuesday week, the commissioners signed the commissions for the different precincts, those that went to the inspectors. We commissioned one Mr. Bob Mims. He had formerly lived at Crystal Springs and had never had his name transferred from the Crystal Springs book to the Green's store book. On Saturday evening when we went to pack up the boxes to send them out I called the attention of the other two Democratic commissioners to this fact, that we were sending a man out a commission whose name was not on the poll-book or on the registration book for that precinct. One of them said it did not make any difference; to let them get somebody else; that it was not our fault. I had known all the week that his name had not been transferred, but it was not my business, but when it came to the test to send it out I thought it my duty to call their attention to it, although it was on their side of the question. When we met on Tuesday for the election he came forward and claimed his position. I just mentioned what had been said, and he excused himself on account of being sick. The other inspector, the only one who was there who had been appointed besides him, asked me to help him organize the polls, which I did. He was a younger man and never had done it before.

Q. Come to the threats that were made.—A. I will have to explain it the best I can. After organizing the poll and getting things ready for a vote, there was a reckless crowd came in (I had come out of the house), and they charged me with consenting to commissioning the man to serve, and then objecting to his serving. I just tried to explain it, but there was no explaining it.

Q. Were these men that were there armed?—A. Some of them were, I think. I saw some pistols around.

Q. State what threats they made.—A. They threatened to stomp the box open unlesss Mr. Mims did serve, and he was put back and did serve, after 8 votes were cast.

Q. Then what happened?—A. Then it just went on that way, and the box was counted in all right.

Q. Had 8 Republican votes been cast, or 8 in all?—A. Eight in all; that is, when he was put in. I, as challenger on the other side, sent out for a man who would represent the Independent party. I had no man to represent it. They were all Democrats before, or voted scratched tickets, which is the same thing. They were not Independents.

Q. How did the vote run at Green's store?—A. The Democrats run a little ahead.

Q. Did you hear Mr. Dodds make a speech at any time when Mr. Burnet made a speech?—A. I heard Mr. Dodds speak after Mr. Burnet left the grounds, the same day. It was the same evening, but Mr. Burnet had left the ground at the time.

Q. Did Mr. Dodds say anything in that speech about Mr. Matthews?—A. Yes, sir.

Q. What did he say?—A. He arraigned him pretty severely.

Q. What did he say about him?—A. I could not tell it all; I can tell something of it.

Q. Tell all you can?—A. He summed it up that Print was the man they were after. He said finally, in the closing of one of his sentences, that Print was the man they were after, and they intended to have him; and damn him, they would get him.

Q. He said that in his speech?—A. Yes, sir.

Q. Do you mean to say that he used an oath in his speech to the crowd?—A. I do not know whether you would consider it an oath or not; that is what he said.

Q. What was Mr. Dodds's first name?—A. I can not tell you.

Q. Is he the gentleman who has sat at the table during this investigation near Mr. Saulsbury?—A. Yes, sir; that is the gentleman.

Q. Did you make the arrangement for the joint discussion on behalf of Mr. Burnet?—A. Yes, sir.

Q. What arrangement did you make?—A. I made the arrangement for Mr. Dodds and Mr Fulgham to speak with Mr. Burnet.

Q. Was that arrangement carried out by the Democrats?—A. They put in Mr. Meade; the crowd called for him. When Mr. Dodds rose to speak he said he would ignore all that they had spoken and speak on his own line.

Q. Did you go to Hazlehurst and canvass the vote after the election?—A. No, sir; I was there, but did not canvass the vote. I did not think I could sign the papers.

Q. Why not?—A. Well, I thought I was put there to carry forward and see and conduct a free election, and I did not consider that that was done.

Q. Did you or not sign the papers?—A. No, sir; I did not.

By Mr. JONAS:

Q. Was there anything to complain of at the election at that box at which you were present; was not that a fair election at beat No. 4?—A. I do not know that there was.

Q. Did not everybody vote who wanted to?—A. All, except one old black man that I saw, voted so far as I know; no, one white man did not vote.

Q. There was no violence there?—A. No, sir; there was no one hurt, but there was a good deal of demonstration.

Q. People who wanted to vote went up and voted the Republican and Independent ticket, did they not?—A. A good many in that neighborhood who wanted to vote did not vote.

Q. Were they prevented from voting?—A. They were afraid, under the circumstances, to vote.

Q. Did anybody who came up to the polls have any difficulty or trouble in voting?—A. I saw no one go to the polls and refused the privilege to vote.

Q. Did not colored men come there and vote the Independent ticket?—A. Oh, I suppose they did.

Q. Do you not know they did?—A. Well, of course they voted it.

Q. Were any of them who came there to vote refused?—A. I do not know that they were. There was but one old colored man that I saw, and the crowd gathered in ahead of him, and he was afraid to go in the house.

Q. And there was one old white man?—A. He did not vote; he did not try to vote.

Q. Were there not a good many colored Democrats at that poll?—A. I think there were.

Q. Did they vote?—A. Why, of course they voted.

Q. They voted the Democratic ticket?—A. I suppose so; I never looked at them.

Q. You say at Hazlehurst, next day, you did not examine the returns at all?—A. No, sir.

Q. You did not go and participate in counting the returns?—A. No, sir.

Q. How do you undertake to say those returns were incorrect, fraudulent, or improper, when you refused to look into them?—A. I said I was satisfied they were.

Q. You were satisfied without examination?—A. I was satisfied from the fact that many people in my neighborhood staid at home, and did not vote.

Q. But you say that everybody there could vote?—A. Oh, they could, but they were afraid.

Q. An election is not invalidated because people stay at home, and do not claim their right to vote. Nobody who went up had any trouble?—A. There were some white people who calculated to go in the evening, and did not go because they heard of the disturbance in the morning.

Q. And that is the reason you did not go and canvass the return, because some people did not vote?—A. No, sir; that is not it.

Q. Well, what is it?—A. I had several reasons. I did not consider it was a fair election.

Q. Was not the principal reason because you knew that the county had gone against you, and you did not want to sign the returns? Was not that one of the reasons?—A. No, sir; I have not got any political history of that kind.

Q. Was it not your duty to go and look at those returns and assist

in the canvass, and if you found they were not correct then to refuse to sign them?—A. It would have done no good for me to refuse to sign them.

Q. But you did refuse to sign them. At least it would have done this good, that you would have known something about it then if you found anything wrong, would it not?—A. Well, it might have done good, but I thought that I could not sign them.

Q. You thought you would not sign them; is not that it?—A. I thought it would be conscientiously wrong.

By the CHAIRMAN:

Q. Did you consider yourself personally safe doing that act?—A. I felt alarmed some, but not so much as my friends, both at the polls and in Hazlehurst. I was notified by several that I had better not stay there.

Q. When Mr. Burnet made his speech how was he received by the Democrats; how was he treated; were there any interruptions or noise?—A. Some, but not much.

By Mr. FRYE:

Q. I want to ask you a question. You said there were two men, a white man and a black man, prevented from voting?—A. No, sir; I did not say that; the white man did not vote.

Q. The black man was prevented?—A. Yes, sir.

Q. Do you mean to say by that that all of the people of that precinct came and voted except two?—A. No, sir.

Q. Did not, as a matter of fact, a large majority of the black men stay away from the polls and not come near them?—A. I do not think they did.

Q. Had there not been considerable firing around in your neighborhood?—A. No, sir; we had been quiet and peaceable until that thing originated that morning through my letting them commission a man and then rejecting him at the polls, and objecting to his serving. We had been quiet up to that time, tolerably quiet, as quiet or quieter than the most of the county.

Q. Had the colored men around in your neighborhood heard of what had been going on in the other neighborhoods—of the murders, beating, &c.?—A. I suppose so, some of them have talked to me since, but I was 22 miles from home, at Hazlehurst, and knew but little of what was going on.

Q. Did you hear at the polls that Print Matthews was killed?—A. No, sir; I did not.

Q. Had you left the polls before the news came there?—A. The news did not reach our neighborhood until the next day.

Q. What is that precinct ordinarily, Republican?—A. No, sir; it is Democratic.

Q. By how much?—A. Four years ago for chancery clerk it went Independent except one vote, and two years ago I have forgotten how it went, but I think it went a little Democratic.

Q. How did it go this year?—A. A little Democratic; from 3 to 7 on the ticket this year, I think.

GEORGE S. DODDS, sworn and examined.

By Mr. SAULSBURY:

Question. You have heard what the last witness said in reference to you in connection with a meeting which you attended?—Answer. Well,

sir, I am prepared to state that what he said is a lie out of the whole cloth. And I here denounce him in the presence of this committee as a lying scoundrel. I state that publicly, for the reason that there sits one of Mr. Matthews's brothers, who can tell you that he never heard me swear an oath in his life, and I suppose there are gentlemen here who have been raised with me who never heard me utter an oath in my life, and that part is no more absurd a lie than the balance he has stated, and he knows that he is a lying scoundrel both here and at home, and I so brand him.

Q. What is your occupation?—A. I am a lawyer by profession.

Q. Where do you reside?—A. At Hazlehurst, Copiah County, Mississippi.

Q. There have been inquiries made, and criticisms upon the board of aldermen in regard to their election of Ras Wheeler as bailiff of the town. Do you know whether his election as bailiff of the town was in harmony with the wishes of the Democrats of that town?—A. I will state what I know about that. There was a convention held of the people of that town for the purpose of nominating a ticket for the town——

By Mr. CAMERON:

Q. That was before the election, then?—A. No, sir; since the general election. Some of the best citizens of that town came to me and told me that they wanted me to go to that meeting; that Mr. Wheeler was going to become a candidate before that meeting for the nomination to the office of mayor. In consultation with them we all agreed that it would not be advisable; that it would be bad policy to nominate a man who occupied his present position to fill an official position in the town. Then it was suggested that Mr. Wheeler would become a candidate for marshal. I was requested by gentlemen who were there to introduce a resolution. This convention, however, had nothing to do, nor did the voters of the town have anything to do, with the election of the marshal. The marshal is elected by the mayor and board of aldermen, and, to get an expression from that meeting, I was requested to offer a resolution indorsing the official career of the young man who at that time held the office, which I did, and the resolution was adopted. That is all I know about that.

By Mr. SAULSBURY:

Q. Was that resolution intended not only as an indorsement, but a recommendation for his continuance in office?—A. It was intended in that way.

Q. Was that a full meeting of the people of the town?—A. The fullest meeting of the citizens of that town that I have ever seen.

Q. There has been testimony given here about a notice that was served upon Print Matthews, requesting him not to vote?—A. Yes, sir; I will state my information on that. I want to state, however, that up to Saturday night prior to the election, I had heard nothing of this crowd that has been termed or designated the mob here, having been absent in Jackson attending the Federal court. Returning on Saturday night from the Federal court it seemed to be a general rumor around town that there was a crowd down there electioneering. On Sunday evening, I believe it was, it was generally thought that they would come to town on Monday. On Monday morning it was reported that they were in the vicinity of the town. I did not know anything about who it was or what they were coming there for, or anything of the kind. Mr. Sexton and I at that time were occupying offices over our bank building there,

which fronts the street on which this crowd would have to come in. And our sheriff came to Mr. Sexton and myself, and requested us to take position up on the bank gallery in front of our offices, and whenever this crowd came in to address them; to advise them not to disturb anybody in the town. It was reported that there was some excitement among them; that there were a great many young men, and that they, perhaps, might do some injudicious acts around there. So we were called upon by the sheriff to take our positions there, and address them and advise them against anything of that kind. However, before they came——

Q. You say you were requested by the sheriff to do that?—A. Yes, sir; before they came we had taken our places there and it was determined that they had better be communicated with before they got into town, and this plan of having Mr. Sexton and myself address them from the bank gallery was abandoned, and, as detailed here by Mr. Cook, the former sheriff, I believe Mr. Meade, who was then chairman of the committee, in company with Mr. Cook and Mr. Higdon, went out and had some conference with them before they came into town. They got into town and were a little lively, and it was still feared they might disturb somebody, and I was appealed to again, on the ground that Mr. Matthews had a sick daughter, not to let them go around in that vicinity towards his private residence, as they might be firing the cannon and disturbing his family. I then went to some of the leading spirits of the crowd and told them about it, and they promised that they would not disturb the family, and so far as I know they did not disturb the family that day. That is about all I know of the proceedings that we had on Monday. On Tuesday morning some of the friends of Mr. Matthews, and they were Independents, came to me and told me that they wanted me to exercise all the influence I had that day to keep down any disturbance.

By the CHAIRMAN:

Q. What time was that?—A. That was early in the morning. I told them that I would certainly do that. As I was going to my office (I have mercantile interests there, and I had been into the store and had gotten my mail and was going to my office up at the bank) just under the gallery and in front of the bank I met the sheriff, who asked me if I had heard that this crowd that were in the day before had passed a resolution to the effect that Mr. Matthews should not vote that day. I told him I had not heard it. Well, he says, it is the fact! He says, I understand that they have passed that kind of a resolution, and I want you to go with me to two parties, naming them, and see if we cannot prevent that. I told him I would do it. While we were talking, one of the parties he had named came up on the opposite side of the street. I called him across to us, and I said to him, "I understand that this kind of a resolution has been passed, and I want to advise you not to carry out that resolution. In the first place Mr. Matthews has as much right to vote as any one else, and I think it would be the worst policy in the world to undertake to carry out such a resolution as that." The party addressed turned and walked off without saying anything either one way or the other, and I saw no disturbance from that time on, and I suppose it was not longer than an hour after that before the killing occurred. I know nothing about the facts of the killing except what I have heard. I have stated to Mr. Leon Matthews, whom I have always regarded as a personal friend of mine, and we are on friendly terms yet, I stated to him after this that I regretted very much, as he was up near

my office that morning, not going to him and telling him to advise his brother not to go there, fearing he might be hurt. I did not see anything in the direction of carrying out that resolution, but I did think that perhaps if he went there he might be hurt. I did not know how or by whom. But I told Mr. Leon Matthews that I regretted not having told him that morning to go and tell Print, as I would have done myself if I had met Print, not to go there. But I did not do it because my foresight was not as good as my hind sight then! I did not know what would be the result of his going.

By Mr. SAULSBURY:

Q. In all the interviews which you had with the sheriff of that county, did he or not manifest a desire to see the public peace preserved and order maintained in that community?—A. He did. I want to say in behalf of our sheriff that I think he is one of the best men I ever knew, but he is a timid man; he is not an aggressive man, and he dislikes to come in contact with very strong opposition. I know that he appealed to me on the two different occasions I have stated here, and I know that he went to others and called upon them and called upon us to exercise our influence in keeping the town quiet on that day.

Q. From your knowledge of the character of the sheriff of the county, do you believe that he would have been a party to any conspiracy for the purpose of inducing Mr. Matthews to go out into the country to serve warrants, for the purpose of procuring his assassination?—A. Oh, I know he would not; I know he would not, because Mr. Matthews always regarded Mr. Hargrave as a personal friend, and I believe that he was; and I believe firmly that if Mr. Hargrave had known or had reason to believe that Mr. Matthews was going to be killed, he would have been one of the first men in that country there to have gone to him and advised him to get out of the way and save himself. I believe that.

Q. Do you know anything about any action taken by the sheriff after the murder of Mr. Matthews to protect his family?—A. Yes, sir; I know this, I happened to be the party called on in that instance. In the mercantile business I am interested in, this man W. P. Ware, who was here the other day, is our business manager. He had married a niece of Mrs. Print Matthews, and was in communication with them, and I know on the morning Mr. Matthews was killed (I live just across the railroad from where they live) I could hear that they were in great distress over there, and it appealed to my sympathies very strongly, and I knew that under the circumstances they would have very little help or assistance over there. Therefore I took it upon myself to go to two of the opposition party and request them to go over there, and state to Mr. Gall Matthews and Mr. Leon Matthews——

By the CHAIRMAN:

Q. You mean by the opposition party the Democrats, or the Independents?—A. I mean the Independent party; to go over there and state to Mr. Leon and Mr. Gall Matthews that if there was any assistance I could render them over there I would gladly do it. One of the gentlemen who went came back and said he had presented my message, and that Mr. Leon Matthews and Mr. Gall Matthews seemed to appreciate it, but under Mrs. Matthews's excited condition he thought and they thought best for me not to go there, so I did not go. That evening after the killing, there was a great deal of stir around there in town, unnecessary stir, people coming in from other towns and coming there, not alone on account of this excitement, but it is always the custom, that being the center of the county, to come there for the election news, as it

gets there quicker than anywhere else. And they got under a great deal of excitement, and had a good many guns going around, and Mr. Ware had been to Mr. Matthews, and he came and stated to me they were very much alarmed; that they were afraid they were going to be mobbed, and they wanted protection. I told Mr. Ware to go back and say to the family that I would take a squad myself and go over there, and, if necessary, stand in front of their house all night long and see that they were not disturbed. I then went to the sheriff and represented the matter to him, and the sheriff gave me twenty men, and put me in charge of them, and I stationed them over there and told them what their business should be, to see that nobody disturbed that family. And so far as I know it was carried out; they were not disturbed after that.

By Mr. SAULSBURY:

Q. Does Print Matthews's family return occasionally to the town?—A. Yes, sir; they have been there since. They remained there several days after all this trouble. His brothers still live there.

Q. Has Mrs. Matthews and family returned there since?—A. Mrs. Matthews, up to the time she had been here, had been, I think, in the town with all of her five children, and I think they spent a week or ten days there, or two weeks there and in the country, visiting their relatives. That is since she moved away.

Q. Were you at that meeting where the resolutions were passed after the killing of Mr. Matthews?—A. Yes, sir; I was there; and I want to state my whole connection with that matter, as I understand the question was asked yesterday, or Saturday, if I was not the author of those resolutions. I suppose some of the better informed advisers of the Senators have, perhaps, been under that impression. This crowd collected in there, and again Mr. Ware, being a friend of the Matthews family, and some one or two others, came to me and asked me to go to the meeting to prevent anything being done that should not be done. I began to take some interest in it, and I found there was a sentiment there to pass a resolution to the effect that the Matthews family must leave the county, and two or three of us got together, and we thought, owing to the excitement, that we had, perhaps, better not undertake to oppose that resolution in the meeting as we might be voted down. As a means to prevent that resolution being passed a gentleman, whose name I will not call, as he holds an official position, came to me and submitted substantially what the resolutions that were adopted are, and asked me to look over them and to draw them off, as they were written in an indistinct hand. I took those resolutions, made some corrections, and noted the resolution which I thought ought to have been defeated, and the one I went to that meeting for the purpose of defeating, which is to this effect: That the Matthews family should be held responsible for any and all depredations against persons or property that should be committed after that. My position was this, and so I told Mr. Gall Matthews. It was never known in whose handwriting they were. I had nothing to do with the handwriting, that is I never drew them, but they were presented in my handwriting. I told Mr. Gall Matthews my object in going there, and the objection I proposed to raise, and that was to that feature. My position was that it would give people an opportunity of venting their personal spleen and animosity on other persons there outside of the Matthewses, and outside of the Independent party, knowing it would be saddled on those people, and I thought they had enough to bear without anything outside of what they were connected with.

Q. Your whole connection with the resolutions was for the purpose of preventing the passage of more ultra resolutions?—A. Yes, sir; as I will state to you. I went up to the meeting; it had been organized, and this young man Bailey, who has been spoken of here, was addressing the meeting. The crowd seemed to be excited, and an attempt on the part of Major Barry, whose idea was just as mine was, and whose objection to the resolution was the same as mine, having been hissed down, I withdrew from the meeting and left there, and I was not there when the resolutions were voted upon at all.

By Mr. FRYE:

Q. Who presided at that meeting?—A. I could not tell you.

Q. Was it not Mr. Meade, the chairman of the Democratic committee?—A. You will have to go to the resolutions; I could not say. There was so much confusion there, they were up on the desks, and banisters and all, that I did not get up near enough to see the men on the front. I came to the conclusion that I would not be heard, and I withdrew and went back to my office with my law partner, Captain Harris, who went with me for the same purpose.

By Mr. SAULSBURY:

Q. Do those resolutions, in your judgment, reflect the will and wish, at the present time, or at that time, of a very large portion of the Democrats of that county?—A. Well, sir; I do not believe that the thinking people, the men who when they go about anything stop and think deliberately, would have passed those resolutions. I do not believe even that that crowd would have passed those resolutions if they could have been held up even for two or three days' until that immediate excitement had passed away.

Q. You are well acquainted with the people of Copiah County I suppose?—A. Yes, sir; I have been raised in the county, and I do not suppose there are fifty white men in the county that I do not know personally.

Q. I will ask you, from your knowledge of the white men and Democrats of that county, whether the large majority of the white men and Democrats of that county are not in favor of the preservation of law and order in the community, and are not good citizens?—A. They are, undoubtedly, from this fact: We have borne a great deal there, our people have, and we have gone through with heated canvasses, and we have submitted to corruption in office there, to our treasury being robbed, our warrants being put down, and all that, and in the face of all that, up to the present trouble, I do not believe there had ever been within the limits of Copiah County, so far as my information goes, any disturbance growing out of politics or anything in connection with it.

Q. From the position of Print Matthews, as a man of influence in his party, having, as was generally believed, the power to manipulate the supervisors who appoint the grand juries, was it not generally believed that the county had suffered materially from his interference in the appointment of supervisors and the influence and control which he exercised over them?—A. That, sir, was the general complaint against him, and I will state, furthermore, that that complaint seemed to have grown more within the past two years, owing to the fact that (I do not state it of my own personal knowledge that Print Matthews did manipulate the board of supervisors, but I state that was the general impression) the people had become so disgusted and so determined to rid the county of the board of supervisors that had held control of the affairs of the

county during the past two years, that they perhaps had become extreme in the matter.

Q. Was, or was not, the conviction on the public mind that Mr. Matthews had exercised his influence in the matters to which you refer, to the detriment of the county, more the cause of the excitement against him than the fact that he was a Republican?—A. I think so; I think that that impression resided with a great number of people. I want to state, however, in connection with that and in connection with what that man there saw fit to state a while ago, which I denounced as a lie, that my position was this: I admitted in the speech he referred to that I had more respect for Mr. Matthews than I did for the men who were led around by him, for the reason that Mr. Matthews did make something out of it and they got nothing; that they were mere dupes. I stated in that speech, that if I had to vote for a single man on that ticket it would be for Mr. Leon Matthews there, for the reason I believe Mr. Leon Matthews, having known that he was a Republican always or ever since I have known him, was certainly a Republican from some Republican principles; but I had known all of those other men personally; I had known their connection with the Democratic party; I had known the fact that they had been chronic office-seekers in the Democratic ranks, and that they had simply sold out and gone over there not for political principles, but simply to grab some of the spoils. For that reason I always said that.

I canvassed the county in the fall of 1881 and made a speech at every precinct in the county, and had other appointments in joint discussion with Mr. Matthews, who filled the place of one of their candidates for the legislature on the opposition ticket and was no speaker, and canvassed that county all over, with Mr. Matthews taking the side of the opposition, and I representing together with my colleague our side. And I state that throughout that canvass there was never a clash between Mr. Matthews and myself, and I always took the position that if there was any right, that he represented it there and not this gang that was following him. I furthermore state that the only trouble that ever occurred during that canvass was between Mr. Print Matthews and Mr. Bob Catchings, who, at that time, had been thrust out of the post-office there, having been recognized by the administration as a Republican, and having claimed to be a Republican all his life, and having been thrust out as he claimed by the intervention of Mr. Matthews and his influence, he undertook to run for sheriff, and Judge Millsaps, who is here, was a very warm supporter and friend of his, and they undertook to make some speeches. On one occasion there was an appointment by this other crowd, and I went there and they divided time with me, and the only trouble I saw in that canvass originated out of abuse from Print Matthews to those two other Republicans, such abuse I will say as no man of spirit would submit to; as to myself there was nothing.

Q. I ask you this question not because I approve, or because I am satisfied that any other sensible man will approve, of his assassination, but I ask it in order that the true character of Mr. Matthews, whose character has been testified to by witnesses on the other side, may be given. Was he, or not, a man of violent disposition when he became excited?—A. I will state this: While I was always on good personal terms with Mr. Matthews, I regarded him as a political fanatic, and I frequently told him so. I have talked with him about it time and again. He seemed to be a man who had been goaded about politics so much, and had been disappointed at times, until he had become a fanatic on politics. He was one of the most extravagant-talking men I have ever

listened to. I perhaps knew him as well as most any of the young men in the country there. For that reason I never attached as much importance to his talk as a great many other people did, because I had known him, and I knew him to be extravagant as a political talker. I state, however, this, that with the exception of this canvass that I have just alluded to that he and I had together, which started out on friendly terms, and wound up so, I know nothing of his political character, except from these general rumors and the statements which have become unwritten history in the country, which have been related here by witnesses. I was raised there; I was raised on a farm and remained there until I was sixteen years of age, went to college for four years, came back, and lived in another county for one year before I entered the practice of the law or became in any degree well known. Since that time Mr. Matthews had not taken as great a part in politics as he had done before, from what I had heard.

Q. Is it or is it not believed in Copiah County that the offenses which have been spoken of here, the whippings and burnings, the killing of Tom Wallis, &c., were not the result of political excitement or promoted at all by politics, but the acts of individuals who took advantage of the excitement upon political subjects in the county to vent their spleen and spite on these individuals?—A. There is no question that quite a number of these acts of lawlessness which have been detailed here, grew out of a state of affairs just such as I feared would arise under that resolution, and just such as Mr. Gall Matthews afterwards stated did exist. The killing of Tom Wallis occurred to the best of my recollection some three weeks before this political excitement ran so high, and at that time I do not think it was thought by but few people that it had any connection with politics. It was generally represented that it grew out of some little lawsuit they had down there, some little individual trouble. The burning of that man Dan. Crump's house, I think I can state positively from my connection with a case between that man and other parties there, had no connection whatever with politics. And, as your question suggested, in my judgment quite a number of those acts of violence were committed by persons who took advantage of the political situation to vent their personal spleen against these parties, and while they may have represented themselves as belonging to this crowd or mob, as it has been termed, down in beat 3, I feel assured that, in several instances where parties were whipped there and even shot, that that crowd, bad as it has been represented, had no connection with it; that it was parties who were taking advantage of their presence down in that country to vent their personal spleen against these parties. I want to state another thing, though. Some time after those resolutions had been passed, Mr. Gall Mathews, whom I had conversations with, came to Mr. Sexton and myself, at Mr. Sexton's office, and told us and related to us the circumstance of this man whom they charged with burning their father's gin. He said on his way to town he had met this man in the swamp, and that the party had taken advantage of these resolutions now to abuse and villify him, knowing that his hands were tied, or believing that they were tied, and if they should do him bodily harm, that under those resolutions the Democratic party would take it up and make him suffer the consequences. He furthermore said to us that there were several of his personal enemies down there that were doing the same thing; they were taking advantage of those resolutions to wreak their vengeance against him personally, and he appealed to us to know if we could not in some way stop it. Mr. Sexton and I told him that we felt powerless in the matter; that men

who were mean enough to take advantage of a thing of that kind were beyond the influence of anybody. One of them was a man who used to be with the Independent party; he was chief of the Independents or Republicans, or whatever you call them, had been manager for Mr. Gall Matthews down on his convict farm, but they had fallen out and became deadly enemies. He said that man had taken advantage of it and was goading him and disturbing his labor down there; had met one of his negroes in the lane and had given him so much time to get away from there; and he came and asked us if there was not some way to stop that thing; that if there was not he would have to abandon his property. Mr. Sexton and I told him if we could devise any means whatever to reach these difficulties he was complaining of we would certainly do it; that we thought it was a great outrage and ought to be stopped; it would be ruinous to the labor system there, aside from the lawlessness of the conduct.

Q. Did Mr. Matthews attribute the interference with his labor on the part of those persons, to political animosity or to private grievances they had?—A. He said they were personal enemies of his who were taking advantage of the political attitude of affairs at that time to wreak their personal vengeance on him.

Q. I ask you if you and Mr. Sexton and other good people would not have exerted all the influence you had to protect him in all his just rights?—A. Yes, sir, we would, and so told him.

By the CHAIRMAN:

Q. You spoke of the conduct of this crowd who went about the town and the county before the election, as electioneering. Is that the word which is applicable to such conduct and behavior in that county?—A. I do not know that, for the reason that I do not know what their conduct was. I am convinced now that there was lawlessness committed down there by somebody, but whether they did it or not I do not know.

Q. I ask you whether the word electioneering is the word you generally apply to that kind of work?—A. Yes, sir; they claimed to be doing that down there.

Q. I want to ask you about a word used by Mr. Saulsbury; he spoke of it as an assassination in one of his questions to you. It is the first time I have heard that word from Democratic lips during this investigation, and I am very much gratified. Now, I want to know whether you think that word to be applicable to that transaction of Mr. Wheeler's; do you think it was an assassination?—A. I will tell you what I said, and I will tell you my reason for not expressing any further opinion about it. All that we say here is reported at home, and I think it is the desire there of some that this matter shall receive a fair and impartial investigation. I would not like for it to go out there that I had said that this was a case of murder. I will say this, however, which I stated to Mr. Burnet once, that if what I had heard about the circumstances of that killing, and I state, too, that I heard that from individuals of the other party——

Q. The Republican, or Independent party?—A. Yes, sir; the Independent party. We do not have so many Republicans up there as we do when we get down here among you Republicans who are respectable. They are Independents there and Greenbackers, and I denominate them as the opposition party, the other party. I stated to Mr. Burnet, as I state it to any one else, that if what I had heard about that killing was true, it was undoubtedly a clear case of murder under the law, and a bad murder.

Q. My question was whether you applied the term "assassination" to it?—A. Well, sir, I would not say that, because that is affecting that trial, and I do not propose to do that in any case; I do not want any man convicted or acquitted on any opinion I might advance.

Q. These resolutions were in your handwriting?—A. Yes, sir; in my handwriting.

Q. And carried over by you to the meeting?—A. No, sir.

Q. Who carried them over—Mr. Bailey?—A. I do not remember who. Mr. Bailey had nothing to do with them. I did not see Mr. Bailey. I do not know who offered them, because I was not there when they were offered. I cannot say who carried them over.

Q. Was the Democratic district attorney the author of them?—A. As I stated awhile ago, I will not give the name of the party who handed them to me, in whose handwriting they were when they came here.

Q. It seems to me that it is a proper fact for us to ascertain and report whether the Democratic district attorney of the county is the author of the resolutions, and I will ask you whether that is true or not?—A. I would like to be excused from answering that question, because the gentleman asked me not to state it.

Q. You know who the author is?—A. I know in whose handwriting they were when they came to me. I copied them and made some changes in them. I will state this, that I know that at least the gentleman who brought them to me made the impression on me in the conversation I had with him, that his object was the same as mine, to let that resolution be offered to get them off of the other resolution which they seemed determined to pass. Then when we got them off of that, to amend the resolution as presented and strike out that one that is objectionable.

Q. Was there not strength enough in this Copiah County, with its 2,500 Democrats, to stop the passage of such resolutions by 150 men?—A. The 2,500 did not happen to be there that day, and the 150 did, and that is one reason why they could not have done it.

Q. Did you see or have communicated to you a letter from some gentleman representing your State in one House or the other of Congress advising that a public meeting should be held to denounce this act, the killing of Matthews?—A. No, sir; I never have seen any such letter.

Q. Have you not seen a letter advising a public meeting to be held, or have you not been informed of such a thing by Mr. Sexton or any one else? You never heard of such a letter?—A. No, sir.

Q. Was there not a proposition made and discussed in your hearing to have a public meeting to denounce these outrages?—A. There was this sort of general talk. It went out there that those resolutions were passed by a mass meeting. Our understanding of a mass meeting was a meeting gotten up in pursuance to a call made by some one assuming authority. As this meeting was a premature affair, simply a gathering in answer to a call made from the door, we did not recognize it as a mass meeting. It was talked about, the propriety of having a meeting for the purpose of correcting that feature, that it was not a mass meeting that passed those resolutions.

Q. Was that not given up on the ground that these people who had passed those resolutions would be likely to be in the majority at that meeting and take possession of it; that there was danger of it?—A. I do not know that that was discussed.

Q. What was the reason for giving up the plan?—A. About the only reason I can give you is this, that what is everybody's business is no-

body's business, and no one felt called upon to work this meeting up and carry it through.

Q. Did you consider that the proceedings of that meeting on the day after the murder of J. P. Matthews, were a disgrace to the county of Copiah and the town of Hazlehurst?—A. I will say this——

Q. I would like to have you answer my question in saying it?—A. I would like to use my own language in answering. I say this, that I have not met a man away from there, that had not imbibed some of the excitement, who is not satisfied that it was as bad as the killing of Matthews, the passing of those resolutions.

Q. Did you agree to that opinion yourself?—A. I think myself it was one of the most ill-advised things that was ever done.

Q. "Ill-advised" is rather a curious term to use when we are talking about such things, in my judgment. We are speaking of great public crimes which have excited the horror of the American people, and you answer me that they are "ill-advised." I wish to know whether you think that was a disgrace or not to the people of the town of Hazlehurst?—A. I do not think it is a disgrace in the eyes of everybody.

Q. Whether *you* think it was?—A. I do not think it has disgraced our county, because it was not done by the county; it was done by that meeting.

Q. Did you think it a disgraceful occurrence?—A. I say this, that it was calculated to reflect upon our county in a way that I do not like to see.

Q. That I understand.—A. I say furthermore that your conduct cannot disgrace me, neither can the conduct of one hundred and fifty men disgrace five thousand men.

Q. But did you think it a disgraceful occurrence to anybody?—A. I am not going to use your word; I am going to use my own word.

Q. You will not say. The term you will use about it is "ill-advised"?—A. I think it was very bad policy, and I think it was wrong.

Q. Bad policy?—A. Yes, sir; the worst kind.

Q. Now I want to know what is your objection to those resolutions; what is there in them that you disapprove of? You must know something of them, as you wrote them out and sent them over?—A. I only copied them. I had nothing to do with the drafting of them.

By Mr. CAMERON:

Q. You stated that you changed them some?—A. I made some clerical changes. I do not know that I changed the language any.

By the CHAIRMAN:

Q. What is your objection to them?—A. My main objection was this: That they held the Matthews family there responsible for any attempt to avenge their brother's death in any direction against the person or property of any one. I saw that great evil might grow out of that; that it was putting these people in a position, even if they were guilty of all, if they occupied the position it was claimed they did, that even then it was doing them great injustice.

Q. What else?—A. I do not know.

Q. Did you object to anything else in them?—A. If I were to draw the resolutions I would, perhaps, change a great many of them.

Q. I think they would be more politic if they were to be drawn now. But my question is, what else in them did you object to?—A. I have not seen those resolutions, I believe, since I drew them off that day. I would like to look at them.

Q. You will have an opportunity. Did you approve of the resolution that it was "necessary to the safety of society and the welfare of all races and classes in this county that the Matthews family shall keep out of politics in Copiah County"?—A. I will give you a qualified answer on that. I do not state it from my own information, but just like a great many rumors that you have allowed to go in testimony here. The whole atmosphere of that country was full of the rumor that Mr. Matthews and his relatives, that is his nearer relatives, had stated time and again that if any one of them was ever killed that their estate should be spent in avenging his death, and the destruction of property, and so on.

Q. I am speaking of a different point from that. You will have an opportunity to make any explanation you wish, but I wish you would answer my question. The question which I put is, whether you approved of the resolution which said that it was necessary to the safety of society and the welfare of all races and classes there that the Matthews family should keep out of politics in Copiah County?—A. I was going on to get at that point, but I will answer you now, as you cannot comprehend what I am going to tell. I say, if what was charged and rumored against these people as to their connection with politics was true, it was a necessary resolution; but I do not state that that was true.

Q. And you approved of having that resolution passed at this meeting?—A. No, sir; I do not say I approved it. I was not there to approve it. I went there to oppose it, but did not have the opportunity.

Q. Did you approve of this resolution, "That from henceforth no man or set of men shall organize the negro race against the whites in this county, and if it shall be attempted in the future we hereby give notice that it shall be at the peril of the person or persons attempting so to do"?—A. Yes, sir; I unqualifiedly indorse that now. And I state now if your biggest man, General Grant, or the biggest man we ever had, should go into Copiah County and undertake that thing he would be killed quicker than anybody else. I would be killed, and I have been raised there. But I want to explain myself on that point. I want to say there that I do not now make the charge that Mr. Matthews attempted to do it, neither do I deny the right of any man to exercise political influence with the colored people. But I say this——

Q. Do you not think a Democrat has a right to organize the negroes against the white Independents or Republicans if he can?—A. Not as a class nor on a race issue.

Q. But this does not say anything about a race issue.—A. Well that is what I am talking about.

Q. Was there more than one man who attempted to stay the tide of excitement in that meeting by getting any amendment to those resolutions so far as you know, except Major Barry?—A. Not that I know of. I will tell you why. When I got over there this man who had been an Independent, that is they claimed him as a Republican I suppose, and who had been Mr. Matthews's manager down there, was up like a jumping jack in the stand cutting up all kinds of didos, this man Womack, and I really became disgusted with some of the performances over there, because I thought in a meeting of that kind there should be deliberation if anything. But there were all kinds of performances going on and I did not wait for that party to get through. I just withdrew, seeing that I would be in the same attitude with Major Barry.

Q. Was not your real objection to this resolution that it would sound bad abroad?—A. At that time I did not know it would get abroad so extensively; I had not thought of that.

Q. Was not that your real objection, that it would sound bad abroad?—A. No, sir; I do not know that it was. My objection is founded on my convictions and judgment in the matter, because when other people get very much excited I am generally the other way.

Q. I understood you to say just now, that the conduct of the board of supervisors would, you think, have led to extreme measures if it had continued?—A. Yes, sir; I think it would.

Q. What do you mean by extreme measures?—A. I just believe these people would have gone in there and kicked them out of their offices. If they could not have done it in any other way, they would have done it by force, because they, I believe, had made up their minds not to allow that crowd to control the financial affairs of our county any longer.

Q. Do you think they would have gone so far as to have killed anybody?—A. Well, if they had showed fight, some of them might have got hurt.

Q. You answer me with a hint. I ask you whether you think they would have gone to the extreme of taking human life if they had found it necessary to overcome resistance?—A. Yes, sir; if they had found it necessary to have got rid of that crowd.

Q. And do you think that would have been true even if those supervisors had been elected by a majority of the people of Copiah County?—A. I think this: In some counties I deny the right of the majority to control, because I believe we have got an element that was never entitled to the right of franchise, and I think it is detrimental to the American Government to-day that they have it. I think it is a curse to them.

Q. Do you mean the blacks or the whites?—A. I think there are some whites that ought not to be allowed to vote. I think there should be some qualification.

Q. Should the qualification be that a man should be a Democrat?—A. No, sir; not that. I want to state about that. I am not what they call a Bourbon Democrat. I do not believe I have ever been called that. I have always had the reputation there in my public speaking——

The CHAIRMAN. I will say frankly to you that I should infer from your testimony in answer to Mr. Saulsbury and myself that you were not a Bourbon Democrat.

The WITNESS. You will find that I am not to be brow-beaten in any respect, politically or otherwise. I maintain my convictions.

The CHAIRMAN. I do not think there is anything that indicates that you are a Bourbon Democrat in your answer.

The WITNESS. Well, what they class a Bourbon Democrat.

The CHAIRMAN. Is that opinion which you have expressed shared in by the majority of the respectable white Democrats in Copiah County?

The WITNESS. As to getting rid of that board of supervisors?

The CHAIRMAN. Yes.

The WITNESS. I do believe it, and I think that was really at the bottom of this trouble.

Q. And even if the majority of the people choose to elect them, you think this opinion that a majority ought not to be permitted to govern in such things, is shared by the majority of the white Democrats?—A. Not where it is based upon ignorance.

Q. I understand; where they think it is ignorance. Let me see if I understand you correctly and do you no injustice. When a majority of the people, who are by the Constitution and laws of this country clothed with the franchise, choose to elect certain public officers, if the minority believe as to their unfitness what you believe about the supervisors of

the county, you think it is their right or is proper for them to depose them or prevent their taking their offices by violence, and if necessary by killing?—A. Well, sir, you have framed your interrogatory, and now I will frame my answer. I will say this, that where the majority composed of an ignorant, unlettered class of people that do not own any property, have got no interests in the country, see proper, by brute force, to foist a set of men upon the property-owners of the country, to whom the country belongs, I believe, sir, it is a moral obligation resting upon that people, it don't make any difference if they are in the minority, to get rid of them. That is my doctrine.

Q. And you would extend that, I suppose, beyond your own county? If it is true in Copiah County, it is true of the whole country equally, is it not? You would not have one rule for Copiah County and a poorer rule for the rest of us?—A. I think it is pretty well extended. I think it goes through all your country, that all intelligent people have made up their minds not to let the ignorance and corruption of the country run its affairs.

Q. You think if one party comes to the conclusion that its organized antagonist is corrupt, it may take possession of affairs by force, instead of letting them take possession by the ballot-box; is that your creed?—A. My creed is that when they have exhausted all the means they have in contending with these people under their right of franchise, that then, rather than have their property destroyed and their social order disrupted, they are justified in resorting to something else.

Q. Your opinion is also, is it not, with some exceptions, that the ignorance and corruption of the country are found in the Republican party, and the virtue and intelligence in the Democratic party?—A. I state this, that in the State of Mississippi undoubtedly what has heretofore been claimed to be the Republican party is composed mainly of an ignorant class of colored people, who were manipulated and led by bad, designing men as a general thing.

Q. Is that true of the South generally?—A. It used to be so, and in some parts where they have the numerical strength it is being done again.

Q. You think that is the case. Now, you spoke of seeing or speaking to some of the leading spirits of the crowd when you went out; who were the persons; will you give us the names?

The WITNESS. In what connection did I state that?

The CHAIRMAN. You said when you went out at the request of the sheriff you called on some of the leading spirits of the crowd that were coming into Hazlehurst.—A. I said I saw one of the parties whom I had understood was in the crowd and was taking an active part.

Q. And you said also that you went to the crowd and spoke to some of their leading spirits and asked them not to go to Mr. Matthews's house and disturb his daughter.—A. Yes, sir.

Q. Who were the persons that you spoke of as leading spirits?—A. I do not know that I could give you the names. I addressed those who surrounded me.

Q. They were not masked?—A. Not all.

Q. And you said you knew every man in Copiah County except about fifty, I think. I suppose you meant white men.—A. Yes, sir.

Q. So that you would have known most of that crowd. Give us the names of those persons whom you described as the leading spirits; as many as you can.—A. I addressed my remarks, as I regarded it, just as they came in in the front.

Q. Who were they?—A. I could name quite a number of men.

Q. Name them, if you please.—A. That is a good big task.

Q. You are competent to undertake very big tasks intellectually, I am sure.—A. Thank you. Well, one man whom I addressed, as my recollection serves now, or two of them, they were managing the cannon they were carrying around with them; I think my remarks were addressed to them more particularly, and they were Mr. Jesse Thompson, jr., and Emmett Spencer, I believe now. They appeared to be managing the gun; that is what I had allusion to more than anything else, that they should not fire the cannon around in that part of the town and disturb the sick people. I could name a good many others who were there in that gathering.

Q. Please go on and name them.—A. I think there were one or two of the Messrs. Higdon, a young man by the name of Brown; there were some of the Middleton family, I believe, and some young Baileys, who lived in the country, and I think a Mr. West was there, and quite a number of others.

Q. Go on; is that all you remember?—A. I would not like to give any man's name who was not there. There were men standing around there who did not come in with this crowd, who got into it after they got into the town.

Q. Name all the rest you remember?—A. Mr. Williamson, the mayor of the town, was there, but I do not think he belonged to the crowd; I think he went there—I know he did for the same purpose I did—to get them not to shoot the cannon over in that part of the town. And there was Mr. John Middleton, who was here the other day, who did not come in with that crowd at all. When I saw them they had stopped at a public well near the bank building, which is the central part of the town, and the people going to and fro congregated there.

Q. Who were either on horseback or with horses?—A. I suppose seventy-five or one hundred men.

Q. Can you give the names of seventy-five men? It would not take long.—A. It would not take long if you did not care whose name you gave. But I do not want to give any one's name who did not belong to the class you refer to.

Q. Well, name all that you can.—A. I shall just have to think about it for awhile. As I stated awhile ago, I think I knew nearly all the men in that crowd, as well as nearly everybody in that county. There were some colored men standing over there with that crowd. Quite a number of colored men had stopped there to see what was going on.

Q. Then I will ask you another question, if you find it takes so much time to recall those names. In your judgment was the state of public sentiment in your town such that there was danger that the family of Mr. Matthews would be attacked, or molested, or insulted, with the corpse of the husband and father under their roof that night?—A. This was before the killing; this was on Monday.

Q. When you stood there with twenty men I mean?—A. Oh, on that night? I did not apprehend anything of the kind. I do not believe, unless it had been some thoughtless boy; I do not believe there was a man there——

Q. Did you think it would take twenty men to keep off a thoughtless boy?—A. No, sir; but simply to guarantee to these people that there would not be any disturbance I took that party of men with me. I did not stay there all the time. I staid there myself, I suppose on that side of the street, in the immediate vicinity of the house, until 1 or 2 o'clock that night. As I stated, the people had gathered in there from the other towns and the country, and I did not know who was there, and

my object was to keep them from disturbing that family even by a noise that would create fear with them.

Q. Do you believe that Erastus Wheeler can be convicted and hung in the State of Mississippi for this offense, if it turns out that he took a shot-gun and, with malice aforethought, shot Prentiss Matthews?—A. I believe fully that if the case is made out, Wheeler would be as liable to be convicted there as most anybody else.

Q. That is no answer to my question.—A. You want me to give an opinion in this particular case, which I decline to do, for I say I do not want it to go out there as having decided this matter; I do not want to judge or be a juror in the matter, or influence jurors in the case.

Q. Do you know who are Wheeler's counsel or whether he has any?—A. I do not know; I never heard of any being employed. Well, I did hear directly after the killing that Mr. Wheeler had employed, or sent to Jackson for the purpose of employing Colonel Hooker, and Judge Calhoun the gentleman who was here. I afterwards asked Colonel Hooker if he had been employed, and he said he had not; that Wheeler had mentioned the matter to him, but he had not been employed.

Q. I want to ask you about this speech that you have told us something about. You say that you told the audience that you did not blame Mr. Matthews so much as the gang that went into the party with him. I think you used the word "gang."—A. I will state this, and I think there will be some witnesses here who were there and heard the speech. I think my language was this: That some of our people were very much inclined to saddle all the misrule on my friend Print Matthews; I designated him in that way. I said I differed with them in that. I have more respect, I said, for Print Matthews's course in this matter than for those men who have simply gone in as dupes in the matter, men who had become candidates just simply because Mr. Matthews had offered them something.

Q. Did you mean the men on the ticket, or the body of the men who were expected to vote the ticket?—A. I meant some of the men on the ticket; yes, sir. I did not mean all of them. I meant the men mainly who had been great Democrats, and who had taken as much part in the intimidation, if there had ever been any in that part of the country, as anyone else.

Q. Had there ever been any intimidation?—A. I think some of your leading witnesses stated there was some, and I believe there was some.

Q. Did you speak of them as a gang?—A. I may have used that word; I do not know that I did.

Q. Can you give us a little more of that speech of yours; it was an interesting one and I should like to have you repeat it.—A. There is no canvass pending now. I do not speak impromptu and without notes.

Q. Did you not use some violent language besides the word "gang"?—A. I did not, and I think this man who testified was the only man who found fault with it, and I took occasion to drum him up that day about his politics because I knew something about it. He was sitting by, and took occasion to interrupt me, and whenever he did I would silence him by some comment on his own political character.

Q. Did you not invite questions from the audience?—A. No, sir; I do not know that I did. He was not there by my invitation.

Q. Is it the practice in your political speakings for persons in the audience to put questions to the speaker?—A. Yes, sir.

Q. Did he put those questions to you discourteously?—A. No, sir; I do not know that he did; but they were such questions as I thought merited a reply from me. I had a right to make my own application to him.

Q. It being the practice in Mississippi to permit persons to put courteous questions to speakers on politics and this man having exercised this privilege, you replied by, as you say, drumming him down a good deal?—A. Yes, sir; I did.

Q. What did you say, do you remember?—A. I did not say anything very rough, but, on the other hand, he was a pretty poor man, or he would have resented it.

Q. You used some pretty rough language, did you not?—A. I do not think I said anything to insult the man. He did not get insulted. He talked with me just after the speech was over, and said anything is fair in politics, and laughed over it. I do not think he was disturbed about it.

Q. Were you not surprised that he was not insulted?—A. No, sir; I do not think I was, knowing the man.

Q. You think some men would have been?—A. Perhaps some men might have construed some things that I said about him as a personal reflection.

Q. Then a man of spirit you think would?—A. No, sir; I do not say I thought he would have done it, but I say he might have done it. I take it that I did not do it, because he did not resent it, seem ag grieved by it, or feel insulted.

Q. I thought you said that indicated a certain lack of spirit on his part?—A. I say aside from that, however, I think he has got very little spirit, for no man who has stated such absolute falsehoods as he has stated can have. A man without honor is without spirit.

Q. That is another question, and we are not dealing with that just now. Did you not speak pretty harshly of Print Matthews in that speech?—A. No, sir; I did not, and I think there are some colored men here as witnesses who will tell you that I spoke in better terms of Mr. Matthews on that occasion than I did of the balance of them.

Q. Did you not say you were going to put an end to Mr. Matthews's political influence or power in that county?—A. I told them that we were going to beat that crowd; that we were getting tired of having to go through with that thing every time to keep these men from taking charge of our affairs and controlling matters and robbing our county.

Q. But the men on that county ticket that fall were good men, were they not?—A. Some were and some I did not regard as such.

Q. Did Mr. Meade make a speech at that meeting?—A. He did.

Q. Did he not make a pretty violent speech?—A. Mr. Meade is a more fiery speaker than I am. I do not think he went out of the legitimate bounds of political discussion.

Q. But did he not make a violent speech?—A. I do not think it was a violent speech.

Q. If the things said by Mr. Meade about the Republican party and the Republican candidates had been said about you or your party, should you not have regarded it as a very violent thing to say?—A. I will state this to you now, that Mr. Burnet (and that was after he had been shot for his political opinions, according to his idea) was there, and he made a more ultra speech than Mr. Meade did, if it could have been done.

Q. That is not the question I put to you, whether Mr. Burnet made a more ultra speech, but whether Mr. Meade did?—A. Mr. Meade made a strong and positive speech.

Q. Were there not a good many stories in it?—A. There were some anecdotes in it.

Q. Anecdotes hardly fit for the presence of ladies?—A. There were

no ladies there, and it was their crowd, and I suppose he thought it suited them.

Q. It was a speech with a good many stories in it that would not have been fit for ladies to hear?—A. Yes, sir. There were some that were pretty vulgar.

Q. Would you not have said, if that speech had been made against you and your party, that it was violent and offensive?—A. No, sir; under our state of affairs there I would not, because I have heard Mr. Burnet and others on the opposition make just as violent speeches, or more so, than were made that day.

Q. But would not such a speech excite the anger of Mississippi Democrats, if made about them or their party?—A. I do not know that it would, because I have heard other speeches in our court-house there, by Republicans and by Independents and by all of the opposition, that could certainly be characterized as fully as violent, if not more so, than anything that Mr. Meade said that day. I will state that that is the only political speech I ever heard Mr. Meade make, and Mr. Meade was sick on that occasion, and I take it he did not make his usual speech.

Q. Did not Mr. Meade say at that meeting that J. P. Matthews was only true to one thing, and that was his damned rascality?—A. I would not undertake to say that he said that, or that he did not say it.

Q. You will not affirm that he used such language as that?—A. I cannot say that he did or did not.

Q. But you say for yourself that is a word you did not use in a public speech or in private?—A. No, sir; I never use profane language. I never got into that habit.

Q. Will you state some ultra violent sentence uttered by Mr. Burnet that day?—A. Well, I say it was as violent as Mr. Meade's speech, in my judgment.

Q. Relate some of it.—A. I say that Mr. Burnet stated things about the Democratic administration that were as unfounded as anything could be.

Q. State the violent language that he used.—A. He denounced the administration in very violent terms.

Q. I want the language.—A. I do not propose to use Mr. Burnet's language. I did not think enough of it to impress it on my mind. I never copied Mr. Burnet or anybody else. I make my own speeches when I want to make them.

By Mr. CAMERON:

Q. How many Democratic newspapers are published in Copiah County?—A. The Signal and the Crystal Springs Meteor are the only papers that I regard as Democratic papers.

Q. Did those papers, or either of them, refer to what has been called the outrages committed in the county prior to the election, or to the killing of Mr. Matthews; and, if they did, what did they say?—A. I could not tell you that. In the first place, I never have taken the Meteor, and I do not know what that contained, and along about that time I was very much engaged, and frequently I did not see the Signal. I rather think there were some things said about it, but I would not undertake to say what they were, for having been there I was about as well posted as the men running the papers, as a general thing, and I did not read their papers closely.

Q. You stated, in your opinion, that those things were not approved by the majority of the people of the county. What I wanted to get at, was whether or not the Democratic papers in the county had in any way

expressed an adverse opinion on that matter?—A. My recollection is that the papers there did condemn some of the acts of violence. I will say this: In our country, as a general rule, when an act of violence or any other lawlessness occurs, it seems to be the policy of the newspapers not to denounce it or express any decided opinion, for the reason that it makes it difficult to get juries to try those cases, and, as a general thing, papers that are politic and do not care to arouse the public mind, just allude to those things and refrain from expressing any opinion. I think that is the general policy of the newspapers up there. I will say, though, that I have seen extracts from Democratic papers all over the State condemning us in very round terms down there, some very strong articles—I say condemning us, I mean they condemned what occurred there.

Q. Have you seen anything in any of the Democratic newspapers of the State except the Vicksburg Post, and I believe you do not consider that a Democratic paper?—A. I do not know what that is termed. Mr. Hull is a newspaper man and is better posted than I am.

Q. Is it not a fact that the killing of Mr. Matthews was not referred to at all in the Signal?—A. I could not answer that question; I really do not know whether it was or not; I remember seeing it referred to in the Copiahian, something said about it, but no opinion expressed.

By Mr. JONAS:

Q. Did you know Mr. Burnet?—A. I have known him for three or four years, I believe.

The CHAIRMAN. If you are going into a new branch of the case, if you have no objection, I think the committee had better adjourn until to-morrow morning, as it is getting late.

Mr. JONAS. I have no objection.

The subcommittee then adjourned until Tuesday morning, February 26, 1884.

NEW ORLEANS, LA.,
Tuesday, February 26, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas.

GEORGE S. DODDS recalled.

By Mr. JONAS:

Question. Do you know Mr. A. W. Burnet?—Answer. Yes, sir; I have known Mr. Burnet since he came to our county. I do not remember exactly how long it has been, but I think three or four years.

Q. Is he a practicing lawyer?—A. Yes, sir; he was a lawyer when he came there and has been practicing since.

Q. What is his standing at the bar; has he had much business?—A. Mr. Burnet, like all young men, did not have an extensive practice, and I would say that he did not have a practice equal to other young men who were practicing there at that bar.

Q. Do you know anything of Mr. Burnet's character for integrity or for truth and veracity in the community?—A. I would say this in justice to Mr. Burnet, that up to a short time before he left our county I had never heard his character for integrity discussed. Since then I have heard it discussed and I had also heard of this transaction that occurred at the Raymond court in Hinds County.

Q. Did you read a published interview between Mr. Burnet and a reporter of the National Republican at Washington?—A. I read an interview that purported to be with some reporter there.

Q. If Mr. Burnet is correctly reported in that interview, what, from your knowledge of the facts concerning which his statements are made, would be your opinion of Mr. Burnet's character for truth and veracity?—A. I would state that if Mr. Burnet made some of the statements contained in the interview that I saw purporting to have been had with him, I could not believe him on oath, nor would I believe any other man who would make such statements that are so utterly based on falsehood.

Q. And this statement you make from your personal knowledge of the falsity of the statements contained in that interview?—A. Yes, sir; I do.

By the CHAIRMAN:

Q. What are the statements that you refer to?—A. I would be glad if you will furnish me the interview and I will point them out. I have not read it since it first came out, and if you will read it or allow me to read it, I will point out what in my judgment is absolutely false.

Q. Have you in your memory any one of them now without pointing it out?—A. Yes, sir; I have. One that I remember very distinctly was that after Mr. Burnet had been interviewed after the killing of Mr. Matthews the reporter put this question to him, he asked why it was he was shot. His answer in that interview, to the best of my recollection (it has been some time since I saw it and I only read it once), was to this effect: that he was the only Republican lawyer in that county and was doing most of the practice, and that he had been shot; and my recollection of the language is that it was such that conveyed the idea that the balance of the bar there had him shot to get rid of him and put him beyond competition with them in that practice of the law.

Mr. FRYE. Let me say right there that if Mr. Burnet ever said anything of that kind to the interviewer, which I doubt very much, it is exactly the opposite of the story he told me the first time I ever had an interview with him.

The CHAIRMAN. I am going to call your attention to the interview presently and I think you will not find any such thing in the interview. If it should turn out there is not such a thing in the interview you would modify your opinion of Mr. Burnet so far as that is concerned?—A. Yes, sir; what I am stating is based on the interviews purported to have been had with Mr. Burnet. I saw two of them and I have talked with Mr. Burnet since he has been here and he told me the one I had reference to was not an interview with him, but was published as such.

Q. Now I want to know if there is any other fact which dwells in your memory (I am not asking you this to prevent your looking at the interview presently); I want to see what dwelt in your mind as the most impressive?—A. The second interview which I saw had this statement in it: that the Democrats of Copiah County had burned up Mr. Matthews's gin and cotton. That I know to be utterly false.

Q. Do you know who did it?—A. I know what the sons of Mr. Matthews said, one of them, and Leon Matthews.

Q. But do you know who did it?—A. No, sir; I do not.

Q. Have the sons told you what men did it?—A. Leon Matthews came to my office and related all the circumstances.

Q. Did he tell you the name of the person?—A. Yes, sir.

Q. Is that person a Democrat?—A. No, sir. I do not think he is. The name is John Fore; he is a nephew of Mrs. Matthews and the same man whom Gall Matthews undertook to bulldoze.

Q. Is he not a Democrat?—A. I do not think he is. He does not live in our county.

Q. Do you know whether that man was active in the Democratic

movement last fall?—A. I do not. I will say that there is another man in our county by the name of John Fore whom I know. This man I have never heard of until he was accused of this gin-burning.

Q. Is there any other statement of Mr. Burnet's in this interview which you remember?—A. In one of the interviews I saw there was a statement to the effect that Mr. Rials, who was on the stand here the other day, was a leading Republican, and had been assaulted and shot at by three or four Democrats, leaving the impression that that was a political difficulty. That was utterly groundless.

Q. But are there not a great many flying rumors about your county in heated times?—A. There are, but I never heard such a rumor as that.

Q. I know you never did, but there were rumors that the negroes were rising, were there not?—A. No, sir; I did not hear any rumor that the negroes were rising. There was a report that the negroes were coming in there from a certain quarter.

Q. And were armed?—A. Yes, sir; that rumor was there.

Q. There would be nothing for the negroes to rise about in your county now; they are free and equal citizens with other people; they could not have an insurrection?—A. They have as much right to carry arms as white men, and I think they exercise the privilege as much as our people.

Q. Now it is barely possible that Mr. Burnet might have heard and believed some rumor of this kind about Mr. Rials even if it was not true, is it not?—A. It is possible, but I hardly think it probable.

Q. You do not think it probable?—A. No, sir; I do not. I hardly think we have a man down there—it makes no difference who he is—whether Independent, Republican, Greenbacker, or what not, who knew anything of that difficulty who said that it had any connection whatever with politics.

Q. Are you quite sure that Mr. Burnet said that?—A. I do not know anything about what Mr. Burnet said. I say he is put in one of those interviews as being the man whom it came from.

Q. I will ask you a question about something else so as not to have you interrupt the investigation while you read this interview. You have acted as counsel during this investigation, have you not?

The WITNESS. In this case?

The CHAIRMAN. Yes.

The WITNESS. I came here simply to take Mr. Conn's place, who had to leave on account of sickness in his family.

Q. You have sat at the table by the side of Senator Saulsbury during many days?—A. Yes, sir; but not constantly.

Q. And have given him your advice about the course of the investigation, so far as anything occurred to you?—A. I have. I have suggested things through Mr. Sexton. I have had but very little talk with Senator Saulsbury, however.

Q. By whom are the gentlemen who appear here in that connection employed; by anybody?—A. I do not know that they are employed by anybody in the capacity of regular counsel. We are here simply to represent our county against the slanders, as we deem them, that have gone out against our entire people.

Q. I do not mean to make any criticism, but you appear as volunteers, I understand, to defend the community of which you are members?—A. No, sir; not as volunteers.

Q. By whose request?—A. There was a meeting of some of the best citizens there, who selected Mr. Sexton and Mr. Conn, and then selected others of us as alternates in case they could not be here.

Q. Who were those best citizens; most everybody seems to be best citizens there, except Republicans.—A. No, sir; we have some Democrats there who are not above reproach.

Q. Who were the gentlemen; were they the Democratic executive committee?—A. No, sir; they were not.

Q. Were they all Democrats?—A. They were all Democrats.

Q. But who were the gentlemen?—A. I do not know that I can give the names of all of them.

Q. Give the names of as many as you can.—A. There were some gentlemen there from Crystal Springs, some from Beauregard, and some from other parts of the county came in there.

Q. The names were what I asked for.—A. There was Judge Holt, from Crystal Springs, who was in that meeting; I was at that meeting; Mr. Sexton was at that meeting; Mr. Conn was at that meeting, and Mr. Thompson, from Beauregard, was at that meeting.

Q. What is his first name?—A. His name is J. H. Thompson. And Mr. Millsaps was at that meeting.

Q. Judge Millsaps?—A. No, sir; it was Mr. Elijah Millsaps.

Q. Were any of the Millsaps said to have been out with this crowd?—A. There is quite a family of Millsaps there, and I do not know whether he was or not. Those are about all I will undertake to state now.

Q. Were there any gentlemen from Hazlehurst?—A. Yes, sir; there were.

Q. Who were they?—A. Captain Birdsong was there, and I believe Judge Mayes was there; yes, he was there.

Q. Have you never heard Mr. Rials say he was a Republican?—A. I will state to you this, that Mr. Rials has laughingly said to me that he was a Republican, but you heard what he said here the other day, that he was not a Republican. Mr. Rials is a sort of an indefinite character in every respect.

Q. I want to know this one thing, whether you ever heard he was a Republican?—A. I have heard him say that laughingly. Mr. Rials is this sort of a man; if he was talking to you as a Republican he would make you believe he was a Republican, and when he got to me he would make me believe he was a Democrat. He is a sort of negative character.

By Mr. SAULSBURY:

Q. The meeting to which you refer was composed, you say, of respectable citizens of Copiah County?—A. Yes, sir; it was.

Q. Did they or not meet because they felt that great injustice and wrong had been done in the representations that had been made of the people of that county?—A. Yes, sir; that was it. I will state further that our Senators in Congress, together with our Representative, addressed a joint letter to a number of us calling on us to prepare to represent our people here and to see that this matter was not saddled on our county as a county. That was the object of that meeting. That was all that was discussed there, the method of doing that. The result was that Mr. Conn and Mr. Sexton were appointed. Afterwards it was ascertained that perhaps Mr. Sexton and Mr. Conn would not be able to stay here all the time, and I was requested to come here in the event that Mr. Conn had to leave, and take his place. I am not here as a volunteer nor as a strict partisan. I am here to see that our people are not slandered unjustly.

By Mr. FRYE:

Q. You are not a partisan, are you?—A. I am a partisan, but I say I am not here strictly in that capacity, as I fear some others are.

By Mr. SAULSBURY:

Q. You are here by request as a representative of the good people of

your county to repel unjust insinuations against it?—A. Yes, sir; that is it exactly.

(The chairman handed the article from the Washington National Republican, previously referred to, to the witness, who examined it.)

The WITNESS. Do you want me to state my objections to this as I go along?

Mr. FRYE. There is one thing which might just as well be stated. In the National Republican there appeared what purported to be two interviews. That paper which the witness has is one of the interviews. That is the interview which Mr. Burnet had with the Republican reporter. The other is not an interview which Mr. Burnet had with a Republican reporter.

The WITNESS. Yes, that is it. I have stated that what I have said was based on those two reports that purport to be interviews with him.

Mr. FRYE. These newspaper reporters sometimes have interviews with us that do not exactly exist.

The WITNESS. I have noticed that myself. Well, the first of this here, while Mr. Burnet may have believed it, yet I do not think it was true in fact.

Mr. JONAS. What statement is that you refer to?

The WITNESS (reading). "It is the first time I ever ran away from any man or set of men, but I had to go; they have driven me out. I would not go back to Copiah County if they would give it to me." I simply want to say this, that Mr. Burnet came back to our town just before Mr. Matthews was buried, and was there and spent a whole day and was unmolested. He came back there a week or two afterwards and was all over the town; we went to the court-house; I was with him, and he and Mr. Miller had a conversation about appealing a case, and Mr. Miller insisted upon his rights in the matter, as a lawyer, and Mr. Burnet insisted, under the circumstances, that Mr. Miller should allow him to appeal, notwithstanding the bill of exceptions had not been made up. Under the circumstances, Mr. Burnet did think, I suppose, it was dangerous for him to be there and I said to Mr. Miller. "Under the circumstances, I ask you as a lawyer, not to take any advantage or even stand upon your legal rights in this matter, but allow Mr. Burnet to appeal his case to the Supreme Court." He was there and passed around the streets and no one molested him.

By the CHAIRMAN:

Q. Had he not received a letter threatening his life if he came back to Jackson?—A. Yes; but that was some time ago, and that is why I say that I do not think he believed it would be executed if he came back.

Q. Did you not tell him when you saw him in Hazlehurst that you were sorry to see him there and advised him not to come back?—A. I did, for this reason: When I saw Burnet in Jackson he seemed anxious to go to Hazlehurst. I said "There is a great deal of excitement there, but if you will go down with me, I will see that you get to Mr. Matthews's house undisturbed. I will obligate myself now to defend you against any assault that may be made against you." He then said he would go, and then he and his brother had a talk, and he declined to go. I went home on the midnight train, supposing that Burnet would not go, but, to my astonishment, the next morning I saw Burnet sitting on Mr. Matthews's gallery, he having come down on a train five hours later than the one I went on, and on which he refused to accompany me.

Q. That train arrived there in the night?—A. Yes, sir; they both got there in the night, that is, before day; and I think it was that day while Mr. Burnet was down there that Captain Wright came to me with an anonymous letter, which he stated had been taken out of the post-office for Burnet, and which read about this way: "A. W. Burnet.

We supposed your dark visage would not be seen here again, as you have got no business here, and we would advise you not to come about here any more. You might follow the fate of your friend, Matthews." No name was signed to it. Captain Wright brought that to me, and I said to him, "I believe fully that is some irresponsible boy wanting to take advantage of the state of affairs here to frighten Burnet; you know that no man with any courage would write an anonymous letter," and I said I do not think there is anything in it.

Q. Before you pass from that I will ask if that letter was not in the same handwriting with a letter signed "150," which had threatened J. P. Matthews with assassination before the election?—A. I do not know; I never saw that letter.

Q. Will you look at that letter and see if it is in the handwriting of the letter to Burnet, so far as you recollect; that is, the "150" letter [handing a paper to the witness].—A. I could not undertake to state unless I could compare them.

Q. Should you think it was a writing resembling that?—A. I would not undertake to say that. My observation is that it takes experts to distinguish those things.

Q. Mr. Burnet says it is the same handwriting.—A. I will not undertake to dispute him, because I have no recollection of the handwriting of the document.

Q. Do you mean to say now that, in the face of Mr. Burnet's statement that the letter he received was in the same handwriting with the letter that threatened to assassinate Mr. Matthews before the election, he was not well warranted in fearing for his life?—A. He might have been, if those facts existed.

Q. Do you mean to say, whether he was well warranted in his fear or not, that his averring that belief is a reason why you should distrust his veracity; that particular thing?—A. I state this, I do not want to do Mr. Burnet any injustice; I say if he believed what he has stated as to the ground of his fears, then I would not be surprised that he was a little frightened. But I cannot see how Mr. Burnet believed that, for the reason that he came back there afterwards and staid there some time talking with a number of us.

Q. Did he not take great precautions? Was he about nights?—A. I do not know; I did not stay about him at night.

Q. Did you not consider it rather a remarkable circumstance that an American citizen should require a safeguard or assurance from you that you would protect him?—A. No, sir; not at all remarkable when I would find any one who seemed to be in such a state of fear as Burnet was.

Q. He did seem to be in a state of fear, did he?—A. Yes, sir; he did. If I had found the humblest negro in our county up there in that condition I would have extended to him some encouragement and tried to have relieved him from his troubles.

Q. Which do you think was, on the whole, the greatest safeguard for a man in Mr. Burnet's condition, the assurance of yourself, as a leading and respectable Democrat, that you would protect him, or the protection of the law?—A. I did not think, and I do not think Mr. Burnet thought so afterwards, that there was any danger to him on earth down there, unless it had come from some irresponsible person who would write an anonymous letter. Now as to the point of my stating to him that I was sorry I advised him to come down there; when Mr. Wright brought this letter to me I said to him I did advise Burnet to come down here last night, but I am glad that he did not come, for the reason that I had pledged him that no one would disturb him, and I

would have been powerless to protect him against a man who wanted to wreak his personal vengeance against him; and a man who would write an anonymous letter would stand behind a corner if he wanted to do bodily harm, and I could not protect him against such a character as that, and if any harm had happened to him he would have blamed me for leading him into it, and for that reason I was sorry I had advised him to come.

Q. You were unable to restrain the persons who met at that meeting the day after Mr. Matthews's assassination, were you not?—A. I was powerless to direct their course. That meeting was composed of one hundred and fifty men.

Q. They had some of them sent an anonymous letter to Print Matthews?—A. I heard so.

Q. So that it is barely possible that a man may be coward enough to write an anonymous letter and brave enough to kill a man.—A. No, sir; no man who would be coward enough to write a letter of that kind would ever kill him openly on equal ground; he might assassinate him.

Q. I mean assassinate him. Now if you will proceed with your statement.—A. I want to state about what course was pursued with reference to that anonymous letter.

Q. Which anonymous letter?—A. The one that came to Burnet and was handed to me. The circuit court was then in session. I took that letter up and requested Judge Wharton to make some comments on it. I told him that such letters or communications, although of course they found origin in my judgment, with a certain class there who were taking advantage of the excitement, yet I thought it ought to be rebuked; and he did so from the bench; he gave it as his opinion that nobody but a coward would communicate in that manner.

Q. Then at that time he and you did not think it was the work of some idle boy?—A. That is just what I have been trying to state, that it was some irresponsible person.

Q. That is a different thing.—A. I generally consider boys who are hot headed, and some men who are considered ripe in years, very irresponsible.

Q. That handwriting that was shown you, if it is the same, does not seem to be the handwriting of a boy.—A. I have seen boys who wrote a much better hand than that.

Q. Is that a boyish hand; is it not the writing of a man?—A. I am not an expert in handwriting. I have seen all kinds of writing from boys, and I cannot say.

Q. Now, please go on with this interview in the Republican.—A. (Referring to the article.) This part here I will read again and give my views on it. "I was the only Republican lawyer there, was getting most of the business, and was the chairman of the Republican executive committee." None of that was true. In the first place, he was not chairman of the Republican executive committee.

Q. Who was?—A. A negro by the name of Dave Bell, I think, claimed to be the chairman of it; that is my recollection. And I would say here that until I heard from Mr. Burnet, in Washington, I never heard of his claiming to be a Republican; he always disclaimed it; he always claimed to be a National Greenbacker.

Q. Was he not chairman of the Fusion executive committee under which that ticket ran?—A. There was no Fusion executive committee that I heard of.

Q. Or Independent executive committee?—A. Yes, sir; but he claims here to be a Republican. He always disclaimed at home being a Repub-

lican. I have argued political matters with him, and he always stated he was no more of a Republican than I was; that he was a National Greenbacker.

By Mr. CAMERON:

Q. But he was opposed to the Democrats?—A. Oh, yes, sir; he was opposed to the Democrats.

By the CHAIRMAN:

Q. He called himself then, you say, a Republican, when he was an Independent or Fusionist?—A. I will state here that, on the contrary, if he was a Republican he was not the only Republican lawyer there. There are two lawyers in that county who have always been Republicans—Judge Millsaps, at Hazlehurst, and Mr. Willing, of Crystal Springs.

Q. Did not Judge Millsaps vote the Democratic ticket this last time?—A. Yes, sir; he did the last time.

Q. And Mr. Burnet was the chairman of the executive committee which supported the ticket under which the Republicans generally voted and ran, was he not?—A. I think he was.

Q. So that your criticism is that he did not admit that Judge Millsaps, who voted the solid Democratic ticket, was a Republican, but he claimed that he who did vote a solid Democratic ticket was not a Republican. Is there anything else?—A. Yes, sir; there is something else.

Q. Has Judge Millsaps been in practice there for years?—A. He has been as much in practice as some others who tried to practice there.

Q. Has he had a case in the circuit court?—A. He has some trashy cases; he has not much practice.

Q. He is pretty much out of it, is he not?—A. Yes, sir; but he stands there announced as a practicing lawyer.

Q. You may proceed?—A. I will state to you that this interview does not contain some of the things that I have reference to. It was one that came out later than this; that is my recollection. I believe I have stated all the objectionable points about this.

Q. You have said that you did not want to do injustice to Mr. Burnet. I will ask you if what you find in that interview had been all, that is, that he claimed to be a Republican, and that he did not admit that Judge Millsaps was at the time, since the last election, you would hardly think that was reason for setting down as destitute of truth and veracity a man who up to that time had an unimpeached character; if that was all?—A. I would say this, that any man who makes a statement absolutely false for the purpose of creating a sensation is absolutely unworthy of belief.

Q. You do not know what his purpose was?—A. I have a very strong opinion what it was.

Q. Have not people changed their party sometimes?—A. Yes, sir; very often.

Q. Do you not know that from and after the last election a very considerable number of Independent Democrats and Greenbackers in Mississippi, and in the South, proposed to vote the ticket and call themselves Republicans thereafter?—A. No, sir; I will state this: That in our county while there were some accessions to the Independent party those I regarded as the more substantial ones who voted at previous elections with that party, had abandoned it for the reason, they said, when they went into it they hoped to divide the Democratic party, but they had found it was being run by the same old Republican leaders, and for that reason they would not follow it any longer, but would abandon it.

Q. Have you not heard some of the witnesses testify that they had

been Democrats formerly, and expected to vote the Independent ticket?—A. I believe I heard Mr. Hull say that, and he is just as liable to change to-morrow as he was to make the last change.

Q. I do not ask you about Mr. Hull's change, but about the fact. Mr. Burnet is liable to change, is he not?—A. Yes, sir; I think so, if he saw anything ahead.

Q. Then if Mr. Burnet had said, since the last election, that he was a Republican, he might have become one for what you know?—A. I reckon so.

S. P. BEACHUM sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Copiah County.

Q. How long have you resided in Copiah County?—A. I lack a little of being there sixty years. I was born there.

Q. Were you on the grand jury there at the last session?—A. I was.

Q. Do you remember what action, if any, was taken by the grand jury in reference to the alleged killing of one Wallis, a colored man?—A. Yes, sir; we tried to get at it, but we could not get at anybody at all.

Q. Did the grand jury use every effort they could to find out about it?—A. Yes, sir; we summoned everybody that we thought would know anything about it.

Q. Had you the wife of Wallis there?—A. We had; yes, sir.

Q. Did you interrogate her as to who killed Wallis; if so, state what she said.—A. I do not recollect exactly what she said; she said that she did not know any of the parties.

Q. Were any of the rest of the family there?—A. Yes, sir; she had some sons there.

Q. Did they say they knew anything about it?—A. No, sir. There was one in the house at the time it happened, but he ran out of the back door, and ran off and did not see it.

Q. They did not know, then, who the parties were who killed him?—A. No, sir; they said not.

Q. Was that grand jury composed exclusively of Democrats, or partly of Democrats and partly of Republicans, or Independents?—A. There were 5 Republicans, 3 Independents, and 8 Democrats. We have sixteen on the grand jury there.

Q. Was there any motion made in reference to the Wallis case as to whether a true bill should be found or not?—A. Yes, sir.

Q. Did any of those jurors vote against ignoring the bill?—A. I think every one did. I do not think there was a man voted for it under the evidence we had.

Q. My question was, if any one of them voted against ignoring the bill?—A. No, sir; I do not think they did.

Q. They all voted to find no true bill?—A. Yes, sir.

Q. Was a man named Handy Fortner before the grand jury, who had been whipped, I think?—A. Yes, sir.

Q. What did Handy Fortner say about the whipping of him?—A. We tried everything to get him to tell who did it, if he knew, but he said he did not know, and he would not implicate anybody at all. We promised him protection and everything else.

Q. Did he tell you why he thought he had been whipped?—A. Yes, sir; he stated what he thought was the cause of it. The cause, he thought, was a lawsuit between Frank Thompson and him. He thought that was it; he did not know.

Q. That was the reason he gave?—A. That was the reason why he supposed that Thompson might have had something to do with it. They had a lawsuit in some way or another.

Q. Did you take a vote on finding a true bill against anybody in that case?—A. Yes, sir.

Q. How did the grand jury vote on that?—A. No one voted for a bill at all. There was no evidence. We could not get anything.

Q. Did the grand jury do their best to investigate these alleged crimes?—A. Yes, sir; we did. We were opposed to such doings, and we did all we could.

By Mr. CAMERON:

Q. Who did the grand jury summon before it to investigate the Wallis case?—A. I think we got the evidence, all we could, from the wife of the man Wallis, and then had them subpœnaed.

Q. Who did they subpœna besides the widow of Wallis?—A. We had her children, all that we could find there.

Q. Anybody else?—A. Yes, sir; we had the jury of inquest. There was a jury of inquest held, and we had those.

Q. Who were they?—A. They were black men, most of them, and some white men.

Q. Can you give the names of any of them?—A. I can give the name of one. I recollect Lewis Jackson.

Q. Do you mean to say that the grand jury came to the conclusion that it was utterly impossible to ascertain who had committed that offense?—A. We thought this, that it might come out eventually who did do it, but we could not get at it.

Q. Did you consult with the district attorney in regard to the case?—A. I do not know that we did. We had the district attorney there with us pretty much all the time.

Q. Who did you subpœna in the Fortner case?—A. We had the man himself up there, and we subpœnaed, I think, his son-in-law, may be. I don't recollect his name. Everybody, though, that he told us probably knew anything about it we subpœnaed.

Q. I am trying to get at who you did subpœna.—A. I don't recollect anybody but his son-in-law, and I don't recollect his name.

Q. Did the grand jury come to the conclusion that it was impossible to ascertain who had committed that offense?—A. I do not know. We did not know but what it might eventually come out, but we could not get at it.

Q. Did they come to the conclusion that at that time it was impossible to ascertain it?—A. Yes, sir; that is the conclusion we came to. We could not get at it although we did our best.

Q. Whom did you employ, if any one, to work up the case to find out who had committed it?—A. I do not think we employed any one.

Q. Did you employ a detective, or did you instruct the sheriff to investigate it?—A. No, sir; I do not think we did.

Q. You did not instruct the sheriff in either of the cases?—A. No, sir.

Q. You said you promised Fortner protection.—A. We told him that if he would tell us who did it we would give him all the protection we could.

Q. What do you mean by that?—A. We meant simply that we wanted to get at the man who did it.

Q. But what did you mean by affording him protection?—A. That we would try and see that he would not be abused as he had been. The man was whipped, there is no doubt about that, because we saw that he had been whipped.

Q. And what do you mean by saying you would afford him protection? I do not think I understood you?—A. Giving him all the protection we could; that we would not tell that he told it, or anything of the kind.

Q. Had you not taken an oath not to disclose it?—A. Yes, sir; but they do not know everything.

Q. Then all the protection you promised him was that you would not tell what he had testified to before the grand jury?—A. Not tell any of the parties that he testified against.

Q. That is all the protection you promised him?—A. That was all we could give him. There was nary a man on the grand jury, I do not think, but was perfectly willing to find a bill against that man if they could have got at him.

Q. Two members of the grand jury have been here, including yourself, and both of you have testified to what Fortner did say before the grand jury?—A. I do not know what the other witness testified to.

Q. That is the kind of protection that you chose to give him?

Mr. SAULSBURY. It is all the protection that they could give him.

Mr. CAMERON. It is all that they did give him any way. [To the witness.] Were you one of the original grand jurors summoned for that term of court?—A. No, sir; I was not.

Q. How did you get on the jury?—A. A man was discharged and I was put on in his place.

Q. Who was discharged?—A. J. F. Thompson, I think, was the man.

Q. What beat did you come from?—A. From beat 3.

Q. What beat did Thompson come from?—A. From beat 2.

Q. How did a man from beat 3 happen to be put on in place of a man from beat 2?—A. I do not know. I suppose it is just as they catch a man.

Q. Just because they caught them there?—A. Yes, sir.

Q. Was H. Penn a member of that grand jury?—A. I think he was.

Q. Do you not know that he was?—A. Yes, sir; I know it. I do not know his initials. I know there was a man named Penn on the jury.

Q. Was he a Democrat or a Republican?—A. I think he claimed to be a Democrat.

Q. Was a man named T. J. Kent on the jury?—A. Yes, sir; I think he was.

Q. Was he a Democrat or Republican?—A. He was a Democrat.

Q. Was F. D. Burrage on the grand jury?—A. I think there was a man by that name on it.

Q. To which political party do you understand that he belonged?—A. I think he voted a split ticket, or said he was going to vote it.

Q. Now, from beat 2; was M. Beasley a member of the grand jury?—A. Yes, sir.

Q. Which political party does he belong to?—A. I do not know much about Beasley. I think, though, he is a Democrat.

Q. You are a Democrat, are you?—A. Well, I used to vote a split ticket in the Whig and Democratic parties.

Q. What did you call yourself last fall?—A. I voted the Democratic ticket last fall.

Q. Was there a man from district number 2 named Norman on the jury?—A. I think so.

Q. Which political party did he belong to?—A. I think he is a Democrat; I am not certain.

Q. And a man named Earns?—A. Yes, sir.

Q. He was foreman of the grand jury?—A. Yes, sir; he was foreman.

Q. He is a Democrat also?—A. I think so.

Q. From beat 3, was there a man named Douglass?—A. Yes, sir.

Q. Which political party did he belong to?—A. I think he claimed to be an Independent.

Q. Was there a man named Holloway from the same beat?—A. Yes, sir.

Q. Which political party did he claim to belong to?—A. He claimed to be a Republican. I raised him; I know all about him.

Q. Was there a man from that district named Cain?—A. Yes, sir; I know him.

Q. Was he a Republican or Democrat?—A. A Republican.

Q. In district No. 4, was there a man named Taylor?—A. I am not certain about that. There was a man got off from up there somewhere. I do not recollect whether his name was Taylor or not. I was not acquainted with the man.

Q. Was there a man named Wells on the jury from beat 4?—A. Not that I know of. Was he a colored man or a white man?

Q. He was a colored man.—A. I am not acquainted with all of them.

Q. Taylor and Wells were both on the jury from beat 4, and they were both colored men. Do you know a man named J. M. Martin?—A. Yes, sir.

Q. Was he on the grand jury?—A. I think he was taken up and put on after some one got off.

Q. Martin is a Democrat, is he not?—A. Yes, sir.

Q. Do you know in which beat Martin resides?—A. I think he lives in beat 1; I am not certain.

Q. It seems that he was put on the jury as from beat 4?—A. I think he lives in beat 1, but I am not certain of it.

Q. Now, in beat 5, was there a man named Stewart on the jury?—A. Yes, sir.

Q. Which party does he belong to?—A. He was a sort of Independent, or claimed to be.

Q. Was there a man named Brantley on the jury from the same beat?—A. Yes, sir.

Q. Which party does he belong to?—A. I think to the Republican party.

Q. How did you ascertain the politics of the jury?—A. I knew most of the colored people. Two of them I raised, and I had known Brantley for a long time.

Q. Then, according to your understanding of it, half of the jury were Democrats and the other half were Republicans and Liberals?—A. That is what we thought about it.

Q. How many grand jurors must concur in order to find a true bill?—A. Not less than sixteen, I think.

Q. There were only sixteen on the jury, then?—A. Only sixteen; yes, sir.

Q. So that it would be necessary for the entire sixteen to concur in order to find a bill?—A. That is true.

Mr. FRYE (to Mr. Sexton). I want to ask you a question and have it put on the record as a matter of information. What proportion of that grand jury can find a bill?

Mr. SEXTON. Twelve to find a bill; that is my recollection of it.

Mr. FRYE. There being eighteen on the jury.

Mr. SEXTON. Yes; I think that is a statutory provision. There is this further fact. A grand juror is not protected under his oath of secresy

from testifying in a court of justice where the ends of justice demand it, and the further protection is that wherever there has been a bill found by the grand jury that even until the party is arrested neither the grand jurors, or the sheriff, court or judge, can make any note of it, neither can his name be entered upon the minutes of the court until he is under arrest.

The CHAIRMAN. The latter part is in order that the criminal shall not escape.

Mr. SEXTON. Yes, sir; and the other part is so that the ends of justice shall not be defeated.

Mr. FRYE. You summon how many grand jurors under your law for a term?

Mr. SEXTON. Fifteen or twenty. Fifteen is the minimum and twenty the maximum. Anything between those constitutes a grand jury, and that is left to the discretion of the court.

Mr. FRYE. And whether it be fifteen or twenty, it takes twelve to find a bill?

Mr. SEXTON. That is my understanding. The statute will explain all that.

Mr. CAMERON. How is the jury distributed among the different districts of the county?

Mr. SEXTON. There is nothing peremptory about that. They are generally chosen by the board of supervisors, an equal number from each beat, but that is not necessary at all.

A. G. MOORE sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Jackson, Miss.

Q. How long have you lived there?—A. Since 1855.

Q. Do you know Mr. J. T. Dameron?—A. Yes, sir.

Q. The witness who testified in this case?—A. Yes, sir; I saw his testimony published.

Q. What is your occupation?—A. I have charge of the chancery clerk's office. There are two districts in our county, and I have charge of the office in that district and have had for ten or twelve years.

Q. You know Mr. Dameron?—A. Yes, sir; I have known him about twenty or twenty-five years.

Q. He lives in Jackson?—A. Yes, sir; he does now.

Q. What is his general reputation in that community?—A. I dislike very much to have to testify in this public manner about a man living in my town, and who lately married a relative of the family there, and have it published and go up there and be read by them all. I dislike to give what I know about him or to give public opinion about him very much.

Q. But still we would like to have it.—A. I am drawn into association with those people constantly. Well, it is not very good with the better class of people.

Q. Is his general reputation bad in that county?—A. I could not say for the county.

Q. Well, at Jackson, in the town where he lives?—A. With the better class of people I do not think it is good.

Q. Do you know whether he has ever been accused or suspected of connection with crime or criminals? State whether general rumor has connected him with any organization of criminals in the town of Jackson or county of Hinds since your knowledge of him.—A. I hardly know; I think so. Some time ago, a good many years ago, directly after the

war, I have known him to be mixed up with some doubtful transactions financially; whether there was criminality about it or not I do not know.

Q. Do you know whether he has ever been accused of being connected with a gang of horse-thieves? That is the point I want to know about. —A. I can only give you one little incident to show what I mean by that.

The question was objected to by the chairman, and the objection was sustained by the majority of the subcommittee.

L. F. CHILES sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. I reside in Jackson, Miss.

Q. Do you hold any public position there?—A. I have been in the sheriff's office, except from the 12th of October, 1881, until the 1st of January, 1883, for eight years.

Q. As deputy sheriff?—A. Yes, sir; part of the time in charge of the first district of Hinds County.

Q. We called you, or you were summoned, to prove a matter which by the ruling of the committee we are not going to inquire of you about. But there is another point to which I wish to call your attention. Are you acquainted with Mr. A. W. Burnet?—A. Yes, sir.

Q. How long have you known him?—A. I have known him personally six or eight years and by reputation eight or ten years.

Q. Do you know anything about any lawsuit with which he was connected in Hinds County, in which there was some scandal in reference to his signing the name to a note or order or something for goods, signing the name of his brother?—A. I was present at the trial at Raymond that Judge Calhoun spoke of yesterday, in the case where a Vicksburg firm sued the Burnets; I do not know which one of the Burnets. All I know about the transaction is that at that trial it was generally understood that Amos Burnet had convicted himself and his brother of forgery and got the goods under false pretenses.

Q. Was there much scandal in connection with Burnet in reference to that transaction?—A. Yes, sir; a great deal of it. Mr. Baldwin, one of the bar at Raymond, proposed to Mr. Wells (Baldwin is a Republican and one of our best citizens) to disbar him, and Mr. Wells was called to the bench by Judge Calhoun and Judge Calhoun told him he did not think it ought to be done; that Mr. Burnet was a young man; but he told Mr. Wells to reprimand him very severely in his speech to the jury, which was done. I recollect the case went against Burnet, and I recollect that the general impression with everybody was that Burnet had perjured himself or connected himself with the forging of that order.

Q. Are you acquainted with the reputation of Mr. Burnet in that community at that time for truth and veracity?—A. From that case and from his general reputation in that neighborhood, I think I am.

Q. Was it good or bad?—A. From what I have heard of him from others, and from what I have seen and known of him myself, his testimony I would not suppose would create the slightest probability of a doubt on my mind.

Q. Would you, from your knowledge of his reputation for truth and veracity in that community where he then resided, and from what you know of him, believe him on his oath?—A. No, sir; I would not. I would like to state that I collected Mr. Burnet's taxes while he was a resident of that county, and I know that he had nothing but a pistol and poll—that is, a poll-tax. That was all the tax.

By Mr. CAMERON:

Q. Against whom was that suit brought?—A. As I said before, I do not know. It was against one of the Burnets; one of the brothers of this man or himself. I do not remember the particulars of that suit.

Q. How many Burnets are there there?—A. I could not tell you; I think there are three or four.

Q. And you do not know against which one the suit was brought?—A. It was one of the brothers of this man, I think, but I do not remember which one; I only remember that this——

Q. Just answer my question, and do not enlarge upon it until I get through. Who was the attorney for Burnet in the case?—A. This Mr. Burnet was the only attorney that I remember.

Q. Who was the attorney of record in the case?—A. As I say, I think Mr. Burnet himself was. That is my recollection of it.

Q. Do you swear to that?—A. I swear to that from memory—my recollection of it.

Q. Was not Mr. C. S. North the attorney for the defendant in that case?—A. I do not recollect.

Q. Do you recollect whether he was or not?—A. It may be possible that he was.

Q. It may be possible, and that is the reason I ask you.—A. I do not remember whether he was or not.

Q. Mr. Burnet was acting as attorney in the case?—A. I was not connected with that particular court at that time.

Q. Were you there at that time?—A. Yes, sir.

Q. What for?—A. As a witness in an attachment suit. I was not there in an official capacity at all.

Q. Had you no official connection with the court at that time?—A. I did, but not at that district. I was in the first district, and this was in the second district of Hinds County.

Q. You will not swear that the suit was brought against this Mr. Burnet, will you?—A. No, sir; as I have said I do not know which one it was brought against.

Q. Was it brought against J. R. Burnet?—A. I do not know which one.

Q. Was it brought against J. R. Burnet & Brother?—A. I will say again, I do not know which one.

Q. Did you hear the trial of the case?—A. I heard the most of it; I heard Mr. Burnet's testimony.

Q. Do you swear that he was a witness in the case?—A. Yes, sir; to the best of my recollection.

Q. But you said a moment ago that you heard his testimony in the case. If you heard his testimony he must have been a witness in the case.—A. My recollection is that he was a witness in the case as well as the attorney; I am pretty certain that he was; the records will show.

Mr. CAMERON: And you will find, if you examine the records, that he was not the attorney and that he was not a witness in the case.

The WITNESS: I would like to see the records if you have them here.

Mr. CAMERON. I have not got the records here.

By Mr. FRYE:

Q. You feel a great deal more certain about his reputation than you do about anything else you have testified to, do you not?—A. Oh, no, sir.

Q. Was he a witness? You testified that you heard his testimony on the stand.

The CHAIRMAN. And it was generally understood you say, that he committed perjury in the case.

The WITNESS. Yes; I say that yet. That was the general belief among all that were in the court-room at the time.

By Mr. CAMERON:

Q. Did you consult with all who were in the court-room at the time?—A. All that I talked to.

Q. Did you consult with all of them?—A. No, sir; not all.

Q. How do you know it, then?—A. Because it was the general rumor around the court-room.

Q. You said it was the general belief among all who were in the court-room at the time.—A. I should not think that would carry the idea that I conversed with everybody in the court-room. I mean with everybody I conversed with.

Q. How many did you converse with about it?—A. I suppose fifteen or twenty men at that time.

Q. Who did you converse with?—A. With Mr. Wells, Mr. Williamson, Mr. Baldwin, John Shelton, and John S. Shelton, his son, and Mr. Dave Therin. These were all attorneys there. I conversed with Mr. Morrison, who I believe was sheriff at the time—I think he was. I conversed with Tom Henry and all the attachés of the court there, and the bar that I spoke to, and some of the jury. I do not remember who the jury was. I heard the jury say why they did not find for Mr. Burnet; that they did not believe his testimony.

Q. Did each and all of the persons with whom you conversed about the suit, say that in their opinion Amos Burnet had committed perjury in the case?—A. They said——

Q. I ask you if each and all of them said that was so in their opinion.—A. That is my recollection of it.

By Mr. FRYE:

Q. Suppose it turns out that this Mr. Burnet was not a witness in the case at all, then there is not a word of the evidence you have given which is true, is there?—A. I do not think it will turn out in that way.

Q. But suppose it does, what becomes of your testimony?—A. I say I think this Mr. Burnet was on the stand; his brother was, and I think this man. The testimony went to show that this man committed perjury and forgery both; that was the understanding in the court-room, that the brother had convicted this man, and probably this man had convicted himself, but I am not sure that this man had himself testified and I have said so all the time.

Q. How could he commit perjury unless he testified?—A. I said forgery and perjury.

Q. You said you talked with the men you have named, in that court-room, and that you talked with the jurors and they told you that this man Burnet on the witness-stand committed perjury. How did you have that talk if Mr. Burnet was not a witness on the stand and you say now that you do not know he was?—A. I say I believe that Mr. Burnet was a witness on the stand, and I say he was convicted by the testimony in the case of forgery.

Q. I am talking about the perjury part of it. You have recollected and are able to testify about his character. Did you see Mr. Burnet here on the stand at all?—A. It is my recollection that I did.

Q. Are you certain of it?—A. No, sir; I am not.

Q. Are you certain that one of these men told you that Mr. Burnet was on the stand and committed perjury?—A. You misunderstand me.

Q. Did one of these men say to you that Mr. Burnet was on the stand and in his testimony committed perjury?—A. No, sir.

Q. What did you mean by swearing a moment ago that they did, every one of them; what did you mean by that?—A. I meant there was perjury and forgery committed. The records of the court will show the whole proceedings.

By Mr. CAMERON:

Q. Do you not know that this is the only connection that Mr. Amos Burnet had with this case, that he wrote a letter to a Vicksburg firm to whom the debt was owing, in the name of his brother, J. R. Burnet, admitting that J. R. Burnet owed the debt and would pay it?—A. I think he claimed that, and, I think, he so stated that on the stand as a witness; that Mr. Burnet here so stated that on the stand as a witness.

Q. Was not that letter put in evidence?—A. It was, and that was the very thing that was considered as a forgery of the name of the other Burnet.

Mr. CAMERON. Well, we understand that, now. That is all.

By Mr. SAULSBURY:

Q. From all that you learned of the character of this gentleman in connection with that case and otherwise, do you say that his reputation for truth and veracity was bad?—A. I say it was bad.

Q. Do you or do you not say from your knowledge of his reputation as well as your knowledge of the man that you would not believe him on oath?—A. I would not.

A. G. LEWIS sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I reside in Jackson, Miss.

Q. Did you know the late J. P. Matthews, of Copiah County?—A. Yes, sir.

Q. Did you see him frequently in Jackson?—A. Yes, sir; I saw him occasionally in Jackson.

Q. Do you remember seeing him there in September, 1883, a couple of months before the election?—A. I think it was in September, but I won't be certain. It was during the holding of the convention that nominated the district attorney at the last election of 1883.

Q. Did you have any conversation with him in reference to Copiah County affairs?—A. The conversation I had with him I will have to state how it occurred. There was some difficulty between Colonel Jones and Mr. Oscar Johnson, and I think it was arranged that those gentlemen were to have a fight, and some person came to my house (I held the office of deputy sheriff of that county) and told me it was my duty to go and arrest those gentlemen and stop the fight if possible. I went around to the Lawrence House and found Mr. Burnet and Mr. Matthews, and I think Mr. Burnet himself told me where I could find Colonel Jones. I found him there and told him I was going to arrest him. I told him that it had come to my knowledge that there was about to be a fight between him and another person, and I would have to place him under peace bonds to stop the fuss. I did arrest Colonel Jones, and Mr. Matthews came up and asked me about my authority, and why I arrested him, and I told Mr. Matthews why I arrested him, and he said all right, he would go his bond.

I drew up a bond, and Mr. Burnet and Mr. J. P. Matthews signed the

bond. I told them then that I would arrest the other man as soon as I got sight of him. I went to the depot, and they were together down the railroad somewhere, to fight a duel that was arranged. I arrested Mr. Johnson on sight and Mr. Matthews seemed to take a good deal of interest in it and came over afterwards and said, "Lewis, release those fellows and let them fight it out." I told him, "No, I could not do it;" and he said "Well, that is all right; I will go on Johnson's bond, and I am already on the other man's bond and let them fight it out;" and he says, "I will pay the bond myself of both of them." He says, "I can make it in thirty days." I said, "How?" He said, "Out of county warrants;" I said "Business must be pretty good down your way." "Oh yes," he says, "you fellows don't know how to manage the board of supervisors." I told him I would come down and stay with him if he could make it that easy. He said that he could make it.

Q. Did he tell you how he could make it?—A. He said he could make it out of county warrants.

Q. By what means?—A. He did not say except to make it out of county warrants.

Q. Did he say that he had any control over the board of supervisors?—A. Yes, sir; he said we didn't know how to manage the board of supervisors like he did.

Q. Was this Colonel Jones on the board of supervisors of Copiah County at that time?—A. I do not know; I could not tell you.

Q. He said he could make $2,000 a month out of county warrants?—A. He said in thirty days he could.

Q. Did you hear him say anything about the coming election in Copiah County and the canvass; did he expect it to be peaceable or otherwise?—A. I saw Mr. Matthews twice after that before the election.

Q. Did he say anything about what sort of an election they expected to have?—A. He said they expected to have pretty hot times in Copiah County. Our county had made a fusion of the most prominent Democrats and Republicans of the county. He was up at our county one night to a speaking, and heard some of the speeches, and said that is pretty good; and I told him I thought he would have a more quiet time than he thought, and would think our policy was best in our county; and he said he expected they would have hell down in his county.

Q. How long was that before election?—A. Two or three weeks; not very long before election.

By the CHAIRMAN:

Q. What was the policy that you referred to in your county?—A. The policy adopted in our county was a fusion between the Republicans and Democrats, and the Independents and another branch of the Republicans got up another ticket. We had a very peaceable, quiet election, and a fair one. There was no objection to it from any source.

Q. Are you a Democrat?—A. Yes, sir.

Q. You carried the election in your county?—A. Yes, sir.

Q. For Democratic county officers?—A. Yes, sir; we elected three straight-out Republicans to the legislature and one Democrat.

Q. Did you have Democratic election officers?—A. We had Democrats and Republicans both as election officers.

Q. This conversation you say happened in 1883 with Print Matthews?—A. Yes, sir; last year.

Q. Do you not know that in that year the majority of the board of supervisors were Democrats in Copiah County?—A. I do not know anything about the board of supervisors of that county. I lived in Hinds County.

By Mr. JONAS:

Q. You say that the ticket that was elected in Hinds County was a fusion ticket of Republicans and Democrats?—A. Yes, sir.

Q. Some of the officers elected on it were Republicans?—A. Yes, sir; it was a fusion; that is to say, the Republicans met in convention and nominated their portion of the ticket and the Democrats met in convention and nominated their portion of the ticket. The Democrats had the offices of State senator, sheriff, chancery clerk, circuit clerk, and treasurer. The Republicans had three members of the legislature, the assessor of taxes, and some other offices, and half of the magistrates and constables in the county were accorded to it.

Q. And part of these Republican candidates were colored?—A. Every one of them was colored but the coroner and ranger, who was a white man. The three Republicans fill seats in the legislature at Jackson now.

Q. The election was peaceable and quiet, no complaints were made by either side?—A. No, sir; no complaint made at all; the Independents, however, did have a ticket in the field, and there were good men on it.

By Mr. CAMERON:

Q. Who pointed out Mr. Johnson to you?—A. I think Amos Burnet did; either he or Mr. Matthews; they were all there together.

Q. Did not Mr. Burnet ask you to arrest the parties and stop the thing, or something to that effect?—A. Mr. Burnet did ask me to, and said that he did not want to have any difficulty between those gentlemen, and that it was best to stop it right here, and that it was my duty as an officer to do it.

ORRIN H. SPENCE sworn and examined.

By Mr. JONAS:

Question. Where do you reside?—Answer. In Copiah County, Mississippi; in the northwestern portion of it.

Q. What is your beat?—A. Beat 4.

Q. What is your voting place in beat 4?—A. Green's store; near where I live.

Q. That is the beat in reference to which Mr. Stanley gave testimony last night. Were you there at the election?—A. Yes, sir; I was there during the entire day.

Q. What sort of an election did you have there?—A. I do not think I ever saw a fairer election. There was a little misunderstanding, and I was one of the parties concerned, at the commencement of election.

Q. What was that misunderstanding?—A. When I came there they had two Independents or Republicans represented on the board as judges of election, and I objected to it. I told them we were entitled to two, and, being a Democrat, and as a voter, I objected to it; and I think Mr. Mims, who had been appointed, and Mr. Stanley, who was there, were county commissioners. I did not see why Mr. Mims could not go on and serve even if his name was not on the register, and let the board decide afterwards whether it was a legal election or not; that he had been appointed, and I insisted on his serving, which he did afterwards, and took his seat I suppose. I did not go into the house for some time.

Q. Did everybody who wanted to vote, vote?—A. Yes, sir; they did. There was no disturbance; no one was intimidated.

Q. White and black, Democrats and Independents?—A. Yes, sir.

Q. What was the vote polled?—A. About the usual vote polled there.

Q. About how many votes are polled at that box?—A. There were about 170, I think.

Q. About how were they divided?—A. They were about equally divided. I think the Democrats beat from one to seven.

Q. That is about the usual condition of things?—A. No, sir; our usual majority there is about 40. Within the last four or five years it has been that.

Q. Therefore, the Democratic vote was less?—A. Yes, sir; less than usual. In our county offices generally, when Mr. Cook was running for sheriff, he used to get over three-fourths of the votes, and so with Colonel Hooker.

Q. Do you know any reason for this falling off of the Democratic vote?—A. I do not know of any reason, but I suspect that the ballots were tampered with. When they adjourned, at 12 o'clock, the box was carried to Mr. Stanley's house, and when it was brought back (I had gone over to a friend's to dinner) some of them remarked—I asked the question where the box was, and they said, "At Mr. Stanley's." I said, "Who went with it?" "Mr. Jenkins," they said. I said, "Did not Mr. Hunt or Mr. Mims go with it?" They said, "No." I said it was strange that no representative from our side went with it. I said, "Don't you know there is danger of its being stuffed?" They said, "No, they didn't reckon it would be." I said, "We know how the vote ought to run here, and we will find out when we count the ballots." I knew every black and white man who voted at the precinct, for I have been living and practicing medicine in that precinct thirteen or fourteen years, and I knew nearly everybody who votes there at our polls, and I knew the blacks, or nearly every one, and particularly the white men, and then we knew how many colored men we voted.

Q. From your knowledge of the voters there and from seeing them vote on the day of the election, you being at the polls all day, you had no reason to doubt that the Democratic party had their usual vote?—A. I thought we ought to have our usual majority. We had made a calculation before of the crowd, and we thought we ought to have had 105, and there were 60 about.

Q. How many negroes usually vote at your precinct?—A. Generally from about 50 to 75. I could not state positively how many do vote there.

Q. Was there any intimidation, to your knowledge, on the part of Republican negroes towards colored Democrats at your precinct?—A. There was previous to the election, by threats. Some of the darkies came to me and said they were afraid to vote the Democratic ticket, for fear that the Republicans—in other words, that they were afraid to vote the ticket for the reason that they would be ostracised by their race and not recognized, particularly in the churches.

Q. Turned out of church?—A. Yes, sir; turned out of church.

Q. What are the general, usual relations between the whites and blacks in this beat of yours and, so far as you know, throughout the county?—A. I never knew of a disturbance between the whites and blacks and never heard of any. Just above where Mr. Burnet's father lived about a month ago there was a white man killed or murdered by a gang of negroes there. He had no weapons.

Q. But that was since the election?—A. Yes, sir.

Q. There was no question of politics in it?—A. No, sir; it was a personal matter. But outside of that I know of no difficulties in the country there at all. I think the whites and blacks get along there just as well as in any country in the South.

By the CHAIRMAN:

Q. How many colored people voted the Democratic ticket at that beat?—A. Generally from fifteen to twenty-five.

Q. But that day, I mean?—A. I think there were about twenty.

Q. And how many white men voted the Republican ticket?—A. The Independent ticket? I have some friends who voted the Independent ticket, and in the case of Mr. Matthews, there, there were some who voted against him who voted for the balance of the ticket, but there were some who voted for Mr. Matthews, I cannot explain how they did. In counting our ticket for Hargrave for sheriff we found a larger vote than for the balance of the ticket, which I thought seemed to indicate they were prejudiced against Mr. Matthews, and voted the Independent ticket except that they split their ticket and voted for Hargrave. I do not think there were more than one or two white men who voted straight Independent tickets there, perhaps three.

Q. So that substantially the white people voted the Democratic ticket?—A. Yes, sir; I think the great majority did.

Q. Then, if the negroes divided, and the white men all voted one way in your particular district, all the drawing of the color line was on the part of the whites?—A. We always voted a Democratic ticket. I did not know the Democratic party was a white man's party particularly. I thought a negro could be a Democrat as well as a Republican.

Q. But I am speaking of drawing the color line. The white men all voted one ticket, and did not divide?—A. I think Mr. Stanley has voted the ticket, and several more have voted it.

Q. Did they have any firing of guns into the houses of negroes in your precinct?—A. No, sir.

Q. Or firing of cannon?—A. No, sir.

Q. When was the last public speech there?—A. We had public speaking, but no firing of cannon or demonstrations there at all. We all discussed questions and left.

W. C. WILKINSON sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. At Crystal Springs.

Q. What is your business and occupation?—A. I am a merchant.

Q. What is the character of the white people of your section; are they a conservative, law-abiding people?

The WITNESS. Do you mean in the county?

Mr. SAULSBURY. Yes; in the county and in your locality.

A. Yes, sir; it is as good as can be had anywhere. The county is composed generally of small farmers; of white men who are small farmers, and they are always law-abiding, and may be regarded as a Christian people.

Q. That is the general character of the people there?—A. Yes, sir; the general character. A few years ago I served on the grand jury, and in my capacity as foreman, in making my report, I took occasion to call attention to the remarkably peaceable character of the people; that there were so few crimes against the person reported to the grand jury. Nearly all the crimes reported were those of petty thefts by negroes, and where white men were involved it was for illegal liquor selling. Owing to the strict laws on the subject many indictments of that class were found. That, and carrying concealed weapons, constituted about the principal offenses.

Q. Do you vote at Crystal Springs?—A. Yes, sir; I have lived there for nineteen years.

Q. Was the last election at Crystal Springs a fair election, at which everybody had an equal right to deposit their ballots?—A. Just as fair as it was possible to be. The stores were all closed, as usual on election days there, and no liquor allowed to be sold from the evening previous. There was not even the ordinary electioneering going on. Each man votes regardless of the opinion of his neighbor. Especially at the last election there was but little attempt to electioneer or persuade men to change their opinions on the day of the election. It was stated that whatever work was done was done, and everything was perfectly quiet and orderly.

Q. I think it has been testified that on the day of election at Crystal Springs when the news of the death of Mr. Print Matthews came to your place that there was rejoicing on the part of the Democrats over his death.—A. Well, sir, it is false. I would state that I was the first who received the dispatch to that effect from Mr. Meade. I was standing talking to some gentlemen at the time, and I was stunned for the moment that such an event should have occurred on such a day, and I stepped across the railroad track, near where the polling was going on, to speak to an elderly gentleman, a citizen, to tell him about it. I met him with the dispatch in my hand, and walked over to him, and, as it happened, one of the candidates on the Independent ticket, Mr. McNeil, was near, and he thought the news was a *canard;* that it was just intended to influence or intimidate the negroes. Neither Mr. McNeil or Mr. Burnet, who was about there, believed it for a good while; in fact, I rather doubted it myself, and I telegraphed for them to send the particulars. There was no rejoicing. There could not have been. On the contrary, men were rather awe stricken. That was about the feeling, if I could express it at all.

Q. I think Mr. Burnet testified that he was there at that time, and that there was rejoicing; I may have misunderstood his testimony. But that there was rejoicing on the part of the Democrats at the death of Mr. Matthews, when the announcement was made, you say is not true?—A. No, sir; it is not true.

Q. I ask you, was it not generally regarded as a calamity; that the people of the county would have been glad if it had not occurred?—A. Undoubtedly so, and I felt so, and say that in my opinion, if it is worth anything, and in the opinion of every man I conversed with, we all felt that it was an untimely event.

Q. Did the announcement of that news at all affect the vote at Crystal Springs, or prevent anybody from voting?—A. No, sir; I do not think it affected it at all. It didn't affect a single vote that I know of. At the time I made the announcement aloud the colored people were standing in a solid body near the polls. One from the crowd of colored people was allowed to go in at a time, and one from the crowd of white men. Not a single man moved or uttered a word. They stood there, and I remained about the polls for an hour and a half, or two hours, perhaps, and the vote went on just as usual, except that there was a little more silence, a little more quiet conversation, and men discussing the event.

Q. Was or was not your object in making that announcement for the purpose of intimidating or influencing or preventing the colored people or others of that party from voting their sentiments?—A. No, sir; I had no such purpose or intention. On the contrary, I spoke to one of the commissioners of election (I was about to leave to go to Hazle-

hurst) and advised him to be more than usually careful that there should be no excitement, and that every man be allowed to vote fair and square, just as usual, and to give as far as he could, no possible reason for complaint on that day.

Q. Was it not your desire, and the desire of the Democrats generally, that there should be no cause of complaint on the part of your political opponents at the fairness or justice of the election?—A. I have always endeavored to do so. I have taken active interest in elections there for many years. I have seen some intimidation, but I have never seen any intimidation for the last five or six years. The intimidation that I saw was, at one election I saw a line of colored men—one hundred or hundred and twenty men in line, standing in single file, with soldiers on one side. Going up and down that line was a colored man, with a six-shooter in his hand, and a package of tickets, who was going down and examining that line and taking away the Democratic ballots I had given the voters and stamping them under his foot, and supplying them with, as I supposed, Republican tickets. That was the election at which Mr. Dent was candidate for governor, on the one side, and Mr. Alcorn on the other side. I believe it was.

By Mr. CAMERON:

Q. What year was that?—A. That was in 1869.

By Mr. SAULSBURY:

Q. You say that you have taken a lively interest in the elections in Copiah County for some years. Is that not true generally of the white people of that county?—A. Yes, sir.

Q. Now, I ask you what is the reason that the people of your county take such a vital interest in the elections?—A. I give it to you from a business standpoint, that it is necessary for the protection of our property. To illustrate: Two years ago there was a feeling that perhaps an Independent ticket partially prevailing, would not work injury, and many respectable men voted for the Independent ticket, or part of it. The consequence of it was that our county affairs drifted into insolvency. Whereas, when the men elected on that Independent ticket took office, there was, as I understood—I am not acquainted with the figures—a large cash balance in the treasury of the various funds, and when they went out it had been squandered, and the county was in debt. Of course, the men of property had to pay those taxes, and it is our interest to maintain that part of our financial affairs as much as on our stores and farms.

Q. Then one of the reasons why the white men of Copiah County vote the Democratic ticket is to prevent the affairs of that county falling into the hands of men who will use the offices for their own selfish purposes, to the detriment of the interests of the tax-payers of that county?—A. Yes, sir; that is the motive which actuates us.

Q. Is there anything else you wish to state?—A. Yes, sir; I wish to state further, as evidence that we are not an excitable people, that four days after the election a city marshal, a zealous, faithful officer, who had served for many years, was attempted to be assassinated by a noted colored Republican, as we supposed. He is under arrest for it. I belong to the board of aldermen that investigated the matter privately, and from the information we could get, without saying it as positive, our information led us to believe that a colored Republican there was the assassin or attempted assassin. Mr. B. R. Jordan was shot and dangerously wounded, and lay at the point of death for some time. He has

now recovered. I give that as an illustration of the good temper prevailing, and of the desire for peace, that that man was allowed to be arrested, was brought there from an adjoining county, waived examination, and is now in prison.

Q. Such offenses as that, or the suspicion of such an offense as existed in that case, would it or would it not have led to the lynching of the negro in many other localities?—A. In most localities it would have done so.

By the CHAIRMAN:

Q. Have you been an active Democrat?—A. Yes, sir; I have been.

Q. You are one of the principal, or perhaps the principal Democratic worker in that beat?—A. No, sir; I am a business man, and devote myself exclusively to business.

Q. Have you not been an active Democratic worker?—A. I have always been earnest for the success of the ticket, but I have never held anything but a local office in town.

Q. What was the evidence that this colored man committed the assault on the marshal?—A. I can repeat—but there are a good many citizens of Copiah County here who may be on the grand or petit jury, and I do not know that it would be desirable to repeat—the testimony taken in private.

By Mr. CAMERON:

Q. The proceedings of the grand jury have already been divulged here.—A. This has not been before the grand jury yet.

By the CHAIRMAN:

Q. The man is in jail now, is he not, and cannot run away?—A. Yes, sir; he is in jail at Hazlehurst; in the county jail.

Q. Was he not first sent to Jackson?—A. He ran away, and was arrested in Jackson.

Q. What was the evidence against him?—A. The evidence was that he lives near this place, within three-quarters of a mile of Mr. Jordan's house; that he was seen on the evening of that day with a wagon going in that direction; that he was seen twenty minutes afterwards going in the other direction, towards his home, with a shot-gun on his shoulder.

Q. That is enough. I wanted to know the character of the evidence; I will not ask you to detail the whole of it. Now, you think in most other communities he would have been lynched?—A. Yes, sir. The man that he attempted to kill is a popular man, was born and raised there, and has a great many friends.

Q. Was he not originally sent to jail at Jackson to prevent his being lynched after his examination?—A. I do not know that. I know that he was committed in the usual way to the county jail.

Q. Was he not first sent to Jackson and imprisoned there?—A. He was arrested at Jackson and brought from there.

Q. But after the hearing was he not sent back to Jackson?—A. I do not know that.

Q. I understand you to say that you have known of no intimidation at elections, except in 1869, if that was the year, when Governor Alcorn was a candidate, when there was intimidation by the presence of soldiers at the polls, and this negro having a pistol or a gun or some weapon?—A. Yes, sir.

Q. Do you not believe there was intimidation in Copiah County at this last election of 1883?—A. I do not know anything of it.

Q. That is not my question. I asked you another question, which

was, whether you did not believe there was intimidation in Copiah County in 1883?—A. Well, I had no reason to believe it.

Q. But do you believe it?—A. No, sir, I do not believe it. I do not think there was any intimidation.

Q. You think there was a full, free, and fair vote throughout that county?—A. Yes, sir; I believe there was. It was full, free, and fair, so far as I saw.

Q. But I am asking you for your belief. You do not believe there was any. Did you hear of the negroes fleeing to the woods for weeks before the election?—A. No, sir, I didn't. I have read of it in the testimony here.

Q. You do not believe that?—A. Well, the negroes are easily alarmed at such times, and they sometimes take to the woods.

Q. That is intimidation when people are alarmed, is it not? Did you not hear of persons going about at night shooting guns and pistols, and of the whipping and flogging of negroes before the election?—A. I heard something of it, but I believe it has been greatly exaggerated.

Q. But do you believe it existed at all?—A. I judge from the testimony. There is some testimony I disbelieve on the subject.

Q. If it should turn out that parties went about after midnight, firing guns and cannon, visiting houses, intimidating and whipping people, and one or two persons were murdered, would you change your opinion about there being intimidation?—A. I would change my opinion if they went there for the purpose of intimidating them from voting; not until I knew that, though.

Q. Suppose they killed them, going around electioneering when they did it. You would think it was intended to have an effect on the election?—A. I should think it would be improper to influence the vote in that way.

Q. But I ask you if you believe it existed in Copiah County in 1883?—A. Well, irresponsible young men may go about in that way. They like to have good horses and to go around, and one thing brings on another, and, as I stated, while there may be something of it, it has been grossly exaggerated.

Q. If they should go to a negro's house and whip him, and ask him how he was going to vote, and tell him they would kill him if he did not vote the Democratic ticket, do you not think that would tend to send the negro population to the woods, the rest of them?—A. No, sir; I do not think the rest of them; it might send that man.

Q. Are not the negroes rather a timid race?—A. As a race they are timid, but I have seen them under circumstances when they seemed to have a good deal of courage.

Q. But as a race are they not timid?—A. Yes, sir.

Q. Now I want to read to you this resolution:

Resolved further, That from henceforth no man or set of men shall organize the negro race against the whites in this county, and if it shall be attempted in the future we hereby give notice that it shall be at the peril of the person or persons attempting so to do.

Do you approve of that resolution?—A. I do partly. I believe that the greatest calamity that can occur to the South is the organization of one race against another.

Q. What do you mean by the organization of one race against another?—A. That is when one set of men tell the negroes as a class that the other class is oppressing them and defrauding and cheating them, and organizing them in that way; that it makes the colored people dis-

contented and dissatisfied, and excites them to acts of violence that they never would think of but for that.

Q. Do you think it is right to urge the white men to combine in a party on the ground that this is a white man's Government?—A. Well, yes, sir; I believe that is where——

Q. I wanted to know if you thought that?—A. Our object in getting white men together is so that we can bring the negroes up to our platform, and we are opposed to the white men going down to their's; that is the difference.

Q. Then you do think it is proper to organize the white men on a platform against the negro platform?—A. The white men are always anxious to get colored votes, because they count as much as white votes.

Q. Are not the people who organize the colored men anxious to get the colored votes also?—A. But the difference is this, and it is a very material one. I speak of Democrats, white Democrats, claiming that they furnish a better and purer government, and better officers, than those other men; and they say, "You come up to our platform," while the others range themselves and side with the passions and prejudices of the negro and go down to their platform.

Q. Suppose a majority of the voters in Copiah County, under the constitution and laws of the country, happen to differ with you, and happen to think that the Democratic platform is low, and the Republican or Independent platform is the high one, how do you propose to have that question settled?—A. As a Democrat, I believe the majority ought to prevail.

Q. Then should you think that the persons who thought the white Democratic platform was a low one and injurious to the county would be justified in using force or shot-guns or intimidation?—A. I think the supposition is an absurdity. I do not see how you can base anything on a myth.

Q. Suppose people differ with you and think it is not absurd, should you justify that person in using force to carry his purposes?—A. No, sir; I would not.

Q. You would expect to submit that question to a fair vote of a majority of the people, would you not, without intimidation or violence or fraud?—A. Yes, sir. I would reason with them and take pains to inform them, if I could not get them to my own way of thinking.

Q. Now, suppose four or five good men chose to vote an independent ticket, and urge the negroes to vote that ticket, and the negroes do it; do you think that is a sufficient reason for the minority of the people of Copiah County using force to prevent their getting possession of the county offices?—A. No, sir; I would not think it an occasion to use force.

Q. Or fraud or intimidation?—A. No, sir; neither fraud or intimidation.

Q. You think nothing but argument would be proper?—A. Yes, sir; argument. And I would even argue in this way: If you cannot vote with me do not vote at all. That is a common argument with negroes.

Q. Do not vote at all?—A. Yes; if you can get a man to keep away from the polls.

Q. Why should not a negro vote as he thinks best?—A. But I do not use that argument to negroes. I use it to white men. I have scratched a man's name off my ticket repeatedly.

Q. You would think it was rather a queer thing if a man said to you, "If you do not vote with me do not vote at all?—A. I have asked people several times, "If you do not vote for me do not vote against me."

Q. Yes; that is for an individual candidate. But I was speaking of the party. Then do I understand you still to say that you approve of this resolution:

That from henceforth no man or set of men shall organize the negro race against the whites in this county, and if it shall be attempted in the future we hereby give notice that it shall be at the peril of the person or persons attempting so to do.

A. As I said, we regard it as a great calamity when such things occur.

Q. Do you not claim that the Republican party in Mississippi down to 1875, and since, and until this independent ticket was formed, did attempt to organize the negro race against the whites.

The WITNESS. That the Republican party did?

The CHAIRMAN. Yes.—A. That was the effect of their organization.

Q. You claim that they did?—A. Yes, sir.

Q. Did you claim that the Independents undertook to organize the colored men against the whites?—A. That was where their main strength was to come from.

Q. Do you approve of using violence or intimidation to prevent that being done?

The WITNESS. Do I approve of it?

The CHAIRMAN. Yes.—A. No, sir; I do not approve of it. When I read the resolution that is the reason I said I approved of it partly.

By Mr. SAULSBURY:

Q. Do you or not believe that it is any more harm to persuade the negro not to vote, if he cannot vote with you, than to place in the constitution of a State, as is done in the State of Massachusetts, a clause that no man shall vote unless he can read the Constitution of the country in the English language?—A. I think in Mississippi I would have far the advantage of Massachusetts in that respect.

By the CHAIRMAN:

Q. Do you not think that it would have been a good plan if you had done in Mississippi, after the war, just what Massachusetts did—preserve to everybody who had got the franchise, or every white man who had the right to vote then, the right to vote still, whether he could read or not, and then say that for the future only persons who could read and write your constitution should have the right of suffrage? Do you not think that would have been better for your State than the unlimited negro suffrage you have had?—A. We have got it there and we have to use it as best we can.

Q. But I want to know, with reference to Mr. Saulsbury's question. Do you not think, honestly now, that it would have been better for your State of Mississippi to have made your constitution exactly what the constitution of Massachusetts is in that particular—that is, that everybody who had the franchise might keep it, not disfranchise a man, but for the future, voters should be compelled to read and write? Would not that have shut out this large class of ignorant colored people that you complain of?—A. When the constitution of Mississippi was framed the white people of Mississippi did not have much to say about it.

Q. But do you not think that would have been better?—A. If we had had you there to help us make it, probably it would have been better.

Q. But do you not think that would have been a better arrangement, when the constitution of Mississippi was made, instead of letting in everybody to the franchise, colored or white, as you did, or that was done by somebody, if you had said that the persons who had the fran-

chise might keep it, and for the future only persons who could read and write could have it?—A. I would not be in favor of such a thing. We wanted the votes and we expect to have them after awhile; we expect to get that vote after awhile, as we will, and it will all count for us.

Q. Who do you mean by "us;" the Democratic party?—A. Yes, sir. As soon as the negroes get property and acquire intelligence they almost always vote the Democratic ticket.

Q. What do you mean by voting a man?—A. If I can reason with him and he votes my way.

Q. You would not speak in that way of one of your respectable white neighbors, that you voted him, would you?—A. Yes, sir. If I meet Mr. Sexton here and I change his vote, I can go back and say I voted Mr. Sexton.

C. PRICE sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Copiah County, Mississippi.

Q. What portion of the county?—A. About four miles northwest of Hazlehurst.

Q. In what beat?—A. Beat 1.

Q. What is your politics?—A. I claim to be an Independent.

Q. Were you a member of the last board of supervisors, that is, the board whose term expired in November last?—A. Yes, sir.

Q. On what ticket were you elected?—A. On the Independent ticket.

Q. The Independents had a majority on that board of supervisors, had they not?—A. Yes, sir.

Q. And Colonel Jones was president of it, was he not?—A. Yes, sir.

Q. Did you know Mr. J. P. Matthews?—A. Yes, sir; I knew Mr. Matthews.

Q. Do you know whether or not Mr. Matthews exercised any control or influence over that board of supervisors in order to direct or dictate in regard to the levying of taxes?—A. Well, I thought he did.

Q. State what the facts were, and what you know about it, and his influence.

The WITNESS. You want it just in reference to the taxes?

Mr. JONAS. In reference to the levying of the taxes and the paying off of school warrants. Do you know whether or not Mr. Matthews was a large holder of school warrants?—A. I think he was.

Q. Then state what you know in reference to the levying of that tax.—A. In December, 1882, the board came together for the purpose of levying a tax, which the law provides; that the board of supervisors shall come together on the first Monday of December every year to levy a tax for the finances of the county. The board came together and was holding a meeting; I do not know what day, but I think it was the second day of the term that the board was attempting to levy the taxes. I came into town pretty early in the morning. I first went to Mr. Bingham, who was superintendent of public education, to get all the information I could in regard to the levying of the tax. I then went to the sheriff of the county, and examined his books, and got all the information I could to levy a tax. I then went to the treasurer, and I got all the information I could get from him to levy a tax, and I had all the papers, I thought, pretty well prepared to make an estimate of what would be necessary to run the finances of the county. Some time in the day—I do not recollect whether it was in the evening or morning, but I think in the

morning before the board came together, the board was slow in coming together—in passing about I saw Mr. Matthews and three members of the board in a room consulting. I walked in and asked them if they were holding a meeting in there. They laughed and said they were fixing up a tax-list to levy a tax. I asked to see the list, and they showed it to me. I said it would not do, and they said it would do, and commenced caviling about the figures, and said they had a proper statement. I told them where I had got my figures, and held it was the only correct place where anybody could get them to levy a tax. However, before that, Mr. Norman, the chancery clerk of our county, who was auditor of the county—I had gone to him in the mean time; I went to speak to him about the figures—came up in the room, I think. At any rate they urged up the thing to bring the thing out. One of the members of the board was absent at the time, but he came in and came up to Mr. Matthews, and appeared to be figuring about levying the tax, and having a good deal to do with it. When that thing came before the board there was a resolution to levy a certain tax, and I got up and objected to it, and gave my reasons. I told them I did not think it would be best for the county; that I thought it would probably bankrupt the county.

However, in the mean time there was a deficit of the school fund. The legislature passed an act authorizing the board of supervisors of that county to levy a special tax to bring up the deficit on the school fund. The law, I think, provides that the board of supervisors shall levy a 3-mill tax for the school fund, their limit to be that. The board, in attempting to levy this tax, wanted to levy 6¾ mills for the school tax and 2¾ mills for the general fund. I contended the 2¾ mills would not run the finances of the county, and to levy the 6¾-mill tax was contrary to law, because the law limited us to levying a 3-mill tax. But they took the ground that they levied the 2¾-mill tax for the deficit, but I think it was stated at 1¾ for the deficit and 5 for the school fund. In speaking about the thing, however, and going on with it and asking about first one thing and then another, I got up and made several remarks. Mr. Matthews several times would get up and reply to me when I would speak to the board.

Q. Was he a member of the board?—A. No, sir. He remarked that it was very strange that I should want to levy such a tax on the people of Copiah County when there was $5,000 of surplus lying in the county treasury doing nobody any good. I said that I did not know that he was a member of the board, or that it was his business to levy the tax, and I did not know why he should take such a conspicuous part, and I said to him I thought the people of Copiah County had rather see $5,000 surplus money left in the county than $20,000 outstanding warrants, and men speculating in them as he was doing likely. They finally took the vote and levied the tax—2¾ for the general fund and 6¾ for the school fund, while the law provides 2½ for the State fund. I objected to it and they took the vote and Mr. Price, the other member of the board, came into the room, and I stated to him what I had said, and I asked the board then to reconsider the vote so as to give him a chance to vote on it. They reconsidered it and voted again, and after they took a second vote, I asked them to record my vote.

Q. You and Mr. Price voted against it and the other three voted for it?—A. Yes, sir.

Q. Who were the other three?—A. Colonel Jones, Mr. Bufkin, and Mr. Jones.

Q. They were the three who had been consulting with Mr. Matthews?—A. Yes, sir.

Q. And they passed a tax levy just as Mr. Matthews desired it?—A. I suppose so; I do not know about that.

Q. Do you not know so from his interruptions and from what he said?—A. Well, he appeared to be running in and out. I do not think either one of the board replied to him. However, Mr. Berry, a citizen there, got up and asked permission to say a few words, not that he was a member of the board, but as he was a citizen and tax-payer of the county he felt very much interested in it, and they permitted him to do it, and he then directed his remarks to the board in regard to the propositions I had made. He thought they were very fair, and he could not see why they did not adopt them. He thought that everything I had said was practical and would be best for the finances of the county.

Q. What do you know about how much cash there was in the county treasury when that board went into office?—A. I think the first report made by the treasurer showed there was $19,000, and there was a mistake of $6,000, which brought it down to $13,000 in March.

Q. What was the condition of the treasury when that board went out of office?—A. I suppose it was in a bad condition. I do not know the exact amount.

Q. Was all that money gone?—A. Yes, sir.

Q. Was the tax levy gone?—A. Yes, sir.

Q. Had any new debt been created?—A. Yes, sir; I suppose so.

Q. Have you any idea of the amount?—A. No, sir; I could not tell you the exact amount—that is, when the board went out. I do not know what amount the last year's tax would bring up. The tax that we levied at the last term would amount to about $18,000.

Q. You knew that all the money was gone from the treasury of the county and the county was in debt?—A. I knew nobody could get a warrant cashed, and I supposed there was no money in the treasury.

Q. Had warrants depreciated in value in consequence?—A. Yes, sir.

Q. Do you know about how much the county was in debt when you left; was it not in debt $16,000?—A. Fifteen or sixteen thousand dollars was the estimate, I think.

Q. Consequently warrants against the general fund had depreciated very greatly?—A. Yes, sir.

Q. And there was no cash to pay the warrants?—A. No, sir.

Q. At the time your board went into office the credit of the county was very good, was it not?—A. The general fund was; the school fund was behind.

Q. There was plenty of money there to pay all the warrants on the general fund?—A. Yes, sir; there was $13,000 on the general fund.

By Mr. CAMERON:

Q. How much was the school fund deficit at that time?—A. I do not recollect what.

Q. About how much?—A. There was a balance brought over from the year before on the treasurer's reports, I think, of about $2,100 or $2,200, brought over.

Q. As a deficit?—A. Yes, sir; but then the running of the schools that year amounted up to a considerable amount. I do not know what.

Q. Was not the surplus in the general fund transferred to the school fund in order to make up the deficit, and to pay the expenses of running the schools in the year 1883?—A. No, sir; the law, I think, prohibits that.

Q. I do not ask you about the law; I ask you if that is not the fact?—A. I do not think that.

Q. You ought to know; you were a member of the board?—A. No, sir; there was no transfer made by the board of that kind.

Q. You swear to that?—A. Yes, sir; according to my knowledge. I do not know what the balance of the board may have done. They may have done it, but not while the board was in open session.

Q. At one time was not the sum of $11,000 transferred from the general fund to the school fund to make up the deficit in the school fund, and at another time was not the sum of $900 transferred from the general fund to the school fund for the purpose of making up a deficit in the school fund?—A. Not according to my knowledge. I do not recollect of any such thing occurring in the board.

Q. Will you swear that that was not done?—A. The board might have done it, but they did not do it while I was present.

Q. Did you ever examine the books to see whether it was done or not?—A. No, sir; I never examined the books.

Q. Do you not know that after those two sums had been transferred from the general fund to the school fund that the legislature passed an act authorizing the county to levy a special tax to make up the deficit that still remained in the fund?—A. It might have been done before I went into office, but not while I was in office. The legislature passed that act the same spring I went into office, to authorize the board of supervisors to levy a tax that year to bring up the deficit of the school fund. I do not know what the board did before that; I never examined their records to see.

Q. You stated that under the general statutes of the State the county was authorized to levy a 3-mill tax for school purposes?—A. Yes, sir.

Q. And the special act authorized the county to levy how much?—A. It did not limit it to any amount.

Q. Then it was left discretionary with the board of supervisors?—A. Yes, sir; it was left discretionary with the board of supervisors to levy a tax.

Q. And the board did levy a tax of how many mills for school purposes?—A. The whole of the school fund was six and three-quarter mills, if I am not mistaken.

Q. Has the legality of that levy ever been questioned in the courts of your county?—A. No, sir; not that I know of.

G. B. NELSON sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Copiah County.

Q. In what beat?—A. In beat No. 4.

Q. A witness here, by the name of Jones, has given some testimony in reference to a personal difficulty between you and himself on election day at that poll. Please state what occurred.—A. I think about 2 or 3 o'clock in the evening, after most of the votes had been cast at our box, Colonel Jones was at some little distance from the polling place and was taking scratched tickets. The most of the tickets at our box were scratched. A great many white men scratched the tickets and most of the colored men who voted there scratched the tickets, and I insisted that he ought not to take their votes. We had agreed that all should vote as they chose. The white people were voting some scratched tickets, and Mr. Jones said it was against the law, and he could prove it by the Code. We had some words about it, and he started

off to the house to get the Code to prove that if they voted scratched tickets that their ballots would be thrown out when the vote was counted at night. The colonel got very much excited and had a club in his hand waving it around. I thought from what he said he sought to influence the colored vote. I did not pay much attention to it. I followed him to the edge of the gallery where some friend stopped me, and in a few minutes Colonel Jones left. That is about all I know of it.

Q. Was there any bulldozing on the day of the election at your polls?—A. No, sir; not one word said to anybody except what I have stated I said to Colonel Jones.

Q. Was Colonel Jones telling and trying to mislead the colored people so as to prevent them from voting the ticket they desired to vote?—A. Yes, sir.

Q. And it was because of that that you and he had some difficulty?—A. Yes, sir; that I interfered.

Q. Did you ever hear that Colonel Jones, as a member of the board of supervisors, would part with his influence for the use of money in that board?—A. I have heard that rumor.

Q. Was ever any application made to you by anybody for the loan of money for the purpose of influencing the vote of Colonel Jones or any other supervisor on any question?—A. Yes, sir.

Q. Please state what it is.—A. Young Mr. Scott came to me and told me he wanted some money to influence the votes of members of the board to get a contract to supply some bridge aprons to a bridge that had been built in our district. He got, I think, $30, and it was afterwards said that he had bought one vote for $15.

Q. Did he tell you whose vote that was?—A. Yes, sir; he told me it was Mr. Bufkin's, from district No. 3.

Q. That he purchased the vote of a member of the board of supervisors, in order to get a contract to build the approaches to a bridge?—A. Yes, sir.

Q. Is it generally understood that he or any members of the late board of supervisors of your county could be influenced by the use of money in the discharge of their duties as members of th at board?—A. Yes, sir; that is so.

By the CHAIRMAN:

Q. Do you say that you had agreed that everybody should vote as he had a mind to?—A. No, sir; I did not say that.

The CHAIRMAN. I should like to have the stenographer read what he did say.

(The stenographer read the portion of the testimony referred to.)

The WITNESS. I want to explain that; I mean there had been some talk of the scratched tickets, and it was generally believed by the colored people that they could not vote a ticket that was scratched.

Q. Who was the "we" that had agreed?—A. Colonel Jones and the colored Republicans.

Q. Do you describe Colonel Jones and the negro Republicans by the term "we"?—A. In speaking of them, of course, for we had talked about that thing, Colonel Jones and I had.

Q. You are a regular Democrat, are you not?—A. Yes, sir; I am a Democrat.

Q. Now when "we" had agreed, who do you mean by the "we"?—A. The "we" that had agreed was Colonel Jones, the advisor of the colored Republicans at our box, and our colored Republicans.

Q. Did you take part in that agreement?—A. I had been called on by

some of the colored Republicans to know if I thought their votes would be counted if scratched, and I told them I thought so.

Q. How did you interfere with Colonel Jones; you stated you followed him out and interfered. What did you do?—A. I went out to where he was and told him that these men should be allowed to vote as they chose, and if they preferred to vote a scratched ticket they must be allowed to do it if they chose to do it.

Q. What did he say; he was not interfering with them except by persuading them not to do it?—A. Yes, sir; he was taking them from them and giving them others.

Q. They allowed him to do it, did they not?—A. They had taken my tickets and had allowed me to scratch their tickets.

Q. And then they allowed Colonel Jones to take their tickets from them, and you told him they must be allowed to vote as they had a mind to, to vote the scratched tickets?—A. He was influencing the voters there by telling them they would lose their vote by voting a scratched ticket.

Q. If he thought so, he had a right to tell them so, had he not?—A. I suppose so; yes, sir.

Q. And your remedy was to tell them the contrary and see which they believed, was it not? Did you not mean that as a threat to Colonel Jones that they must be allowed to vote?—A. We had agreed that they should vote the scratched tickets.

Q. Did you not mean that as a threat to Colonel Jones when you said that?—A. No, sir; I did not mean that as a threat at all.

Q. What did you mean; you did not mean to convey any threat when you said they must be allowed to vote the tickets?—A. No, sir.

Q. Do you say that you loaned a man $30 to bribe a county official?—A. No, sir; I did not say I loaned him that for that purpose; he said he wanted $30 to buy a vote.

Q. But he applied to you and you advanced it to him?—A. I loaned him $30.

Q. Which was for that purpose?—A. He told me he wanted the money.

Q. Did you or did you not understand that the money you loaned was for that purpose?—A. I understood that he wanted money for that purpose.

Q. Who is this gentleman who borrowed the money of you? Is he a Democrat?—A. I believe he is a Democrat.

Q. What is his name, did you say?—A. A Mr. Scott.

Q. Would you believe a man's story, or take a man's word, who would admit to you that he would bribe a county official?—A. Well, I thought at the time he was going to buy the vote.

E. W. BROWN sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. At Hazlehurst.

Q. Do you hold any office or position there?—A. Yes, sir; I am clerk of the circuit court of Copiah County.

Q. How long have you filled that position?—A. For eight years.

Q. Are you familiar with the practice of lawyers in your court as shown by their cases on your dockets, and so on?—A. Yes, sir.

Q. Do you know Mr. A. W. Burnet, who was practicing law there?—A. I do.

Q. What was the character and amount of his practice there, if you

recollect?—A. Mr. Burnet had a very small practice at that bar, and most of his cases on the docket were appealed cases, cases of certiorari; very few original cases on the docket of his.

Q. His original cases, I suppose, he had in some of them associate counsel, had he not?—A. Yes, sir. I remember at one time looking over my docket, and out of two hundred and fifty-one cases I think he had two cases. I speak now of the trial docket, the issue docket.

Q. Have you a list of his cases here with you?—A. Yes, sir; I have [referring to a written memorandum]. At the October term, 1881, there were one hundred and two cases on the issue docket. He had one case out of that number; the case of John Fore *vs.* J. R. Burnet. Mr. Willing was employed to defend that suit, and Mr. Burnet's name is marked on the docket as associate counsel, at least his name was marked on the docket after Mr. Willing's. At the April term, 1882, there were two hundred and fifty-one cases on the docket. Mr. Burnet had two cases out of the two hundred and fifty-one; one an appeal case, and the other a garnishment. At the October term of 1882 there were one hundred and sixty five cases on that docket. Mr. Burnet had one, a case of attachment; I do not know the amount involved. At the April term, 1883, there were one hundred and forty-one cases on the docket, out of which number Mr. Burnet had eight cases.

Q. What was the character of those cases?—A. There were two appeals, three garnishments, one trespass, and one certiorari. I believe I have named them all. At the October term, 1883, there were one hundred and forty-five cases on the docket, and out of that number Mr. Burnet had eight cases.

By the CHAIRMAN:

Q. Those are the same cases continued along?—A. Some of them are, those at the two last terms.

By Mr. JONAS:

Q. Are most of them on the docket yet?—A. Some of them are. There are four of those cases remaining on the docket.

Q. Is any record kept in your office as to the registration of voters?—A. Yes, sir.

Q. Do you know the difference in the number of registered voters, as to color, as between white and black at the last election?—A. Yes, sir.

Q. Have you got the exact figures?—A. Yes, sir; I have the figures.

Q. What are the figures?—A. As the registration stands on our books there is a difference of 397 in favor of the whites.

Q. That is the last registration under which the last election was held?—A. Yes, sir. We have not had a new registration for several years. The registry books are always open for revision.

Q. You knew J. P. Matthews?—A. Yes, sir; I did.

Q. You had known him a long time?—A. Yes, sir.

Q. What was his general character and reputation in the community as a friend of law and order and peace, or the reverse?—A. I do not think that he was considered a very peaceable man, or law-abiding man.

Q. You think he was not considered so?—A. No, sir; he was not.

Q. Was he a violent man in his language?—A. Yes, sir; very.

Q. Did he quarrel frequently?—A. Yes, sir; he had a good many difficulties. I do not know that he had so many difficulties on his own account, but he was continually mixing up in difficulties. I do not remember of but one difficulty that he had on his own account, and that is a

case where he attacked Mr. Dodds, a deputy sheriff at that time, for executing a writ that had been placed in his hands.

Q. Did he attack him with weapons?—A. Well, his brother, Mr. J. M. Matthews, I think, was the attacking party at that time in the place of J. P. Matthews, but he came with his brother, and while Mr. J. M. Matthews and Mr. Dodds were talking Mr. J. P. Matthews drew his pistol. Mr. Dodds's back was turned to Mr. Matthews, and he drew his pistol as if he intended to shoot at Mr. Dodds.

Q. Was he in the habit of going armed, do you know?—A. I think he went armed all the time.

Q. And had that reputation?—A. Yes, sir.

Q. And was in the habit of making violent threats and using violent language?—A. Yes, sir.

Q. Was he not, on the whole, what would be called a desperate man, a dangerous man?—A. I do not know whether he was considered a very dangerous man or not. I never——

Q. Was he considered a desperate man?

The CHAIRMAN. Let him finish his answer. He said he never—and did not conclude his answer.

The WITNESS. I say I never have known of his having a fight with any one. I never have known of his shooting any one. I think it was generally regarded that he would fight, and that he would probably shoot, if necessary.

Mr. JONAS. And it was generally known that he was always armed?—A. Well, I do not know. I thought that he had arms all the time. In fact, he came into my office very often, and I thought I could see a pistol in his pocket.

Q. That was the general belief in the community, that he was armed, you say?—A. I do not know that I have ever heard any one else say that he went armed all the time, but that is what I thought about it.

By Mr. CAMERON:

Q. Did I understand you to say that Mr. J. P. Matthews was not a law-abiding man?—A Yes, sir. I refer to that instance that I have given you.

Q. Please give all the instances that you can remember when he violated the law?—A. Well, he was not in favor of——

Q. I am not asking you that. Give the instances now.—A. Well, that is an instance.

Q. That is the only one?—A. Yes; that is one instance.

Q. Give any others?—A. I do not know that I know any others.

Q. When did that occur?—A. That occurred, I think, in 1876.

Q. Where did it occur?—A. In Hazlehurst, in the court-house, in the sheriff's office.

Q. Was he the only man in Hazlehurst who carried a pistol?—A. I do not know that he was. I expect there were a good many others who carried pistols.

Q. When was the registration that is now in your office made?—A. It was, I think, about 1876. The registration-books are open all the time for the registration of voters. There has been some registering continually all during the year.

Q. Who corrects the registration-book from year to year?—A. The board of commissioners.

Q. In order to register what is it necessary for a voter to do? Must he appear personally in your office and ask to be registered, or can he be registered by proxy?—A. No, sir; he cannot be registered by proxy. He must appear in person.

Q. Then the registration, as it now exists in your office, simply shows the registration of those who were put on in 1876, or who have since come to your office and been registered?—A. Yes, sir. I think in 1876 they had a general registration, a new registration of every man. Every voter in the county registered.

Q. How did the registration then stand as between the two races?—A. I do not know; I am not prepared to say how it did stand then.

Q. Have you not any opinion on the subject?—A. Yes, sir; I have an opinion.

Q. You may give your opinion for what it is worth.—A. I think about that time that the difference between the whites and blacks was very small. There may have been a few more blacks than whites at that time, though I am not certain of that. That is simply my opinion.

Q. Has there been a large emigration of blacks from the county since that time?—A. Yes, sir; and also of whites. I do not know that there has been a very large emigration, but there has been some twenty-five or thirty whites who have gone off, and probably the same number of blacks, to my knowledge.

Q. When did Mr. Burnet go to Hazlehurst and establish himself there as a practicing lawyer?—A. As well as I can remember I think 1878 was the first time that I saw Mr. Burnet there. I may be mistaken about that, however.

Q. When did he move to Hazlehurst and establish his residence there?—A. I think it was in 1880. I am not certain when he came. He had only been there a year or two years probably.

Q. Was it not in 1882?—A. I believe Mr. Burnet resided in Crystal Springs awhile. I had overlooked that fact. I do not know when he came to Hazlehurst. It may have been as late as 1882, early in the year.

Q. I will ask you if there was not quite a numerous and able bar in Hazlehurst when Mr. Burnet removed to that town?—A. Yes, sir; there is a good bar there, and I reckon about as able a bar as there is anywhere in the State for the size of the town.

Q. About how many lawyers are there in Hazlehurst?—A. If you will bear with me I will count them up. (After a pause.) I think there were eight with Mr. Burnet.

Q. Were there not thirteen there?—A. There were Messrs. Harris & Dodds, two; Mr. Conn, three; Mr. Sexton, four; Mr. Meade, five; Mr. Gowan, six—yes, I omitted the two Mayes—Judge Mayes and his son, eight; Captain Ramsey, nine, and Mr. Burnet, was ten. I cannot think of any others—yes, Judge Millsaps was; he made eleven.

Q. Is it usual for a young lawyer in your county, for a year or two after he locates there, to have a large business?—A. No, sir; it requires time; a man must build himself up; he cannot go into a community and jump into a lucrative and large practice at once.

Q. I will call over a list of cases which Mr. Burnet says he had on the docket at the last October term of that court. Russel *vs.* Perro?—A. Yes, sir.

Q. J. P. Matthews *vs.* J. J. Cason; A. H. Isaacson *vs.* Mims Bros.?—A. Yes, sir; I think there were those cases.

Q. L. N. Ballard *vs.* I. N. Cato?

The WITNESS. Are you speaking of the last term?

Mr. CAMERON. Yes; that was during the last term.

The WITNESS. Yes; I had them on my list.

Q. Handy Fortner *vs.* Thompson for the recovery of $100?—A. Yes, sir; that is on my list.

Q. And another case of Handy Fortner *vs.* Thompson in replevin?—A. I have not got that case. I did not notice that on my docket. I will not say that that was not there. I took this list from my docket, and it is possible I may have overlooked one case. It may be possible also that his name was not marked as attorney; that sometimes happens.

Q. The case of Matthews *vs.* Brown?—A. Yes, sir; I have that.

Q. The case of Cook *vs.* The Board of Supervisors?—A. No, sir; I have not got that. I have got three cases—The Board of Supervisors *vs.* Cook.

Q. Was there not one case in which Cook sued the county?—A. Yes, sir.

Q. Did you not know that he was an attorney in that case?—A. No, sir. I do not know his name is yet marked on the docket. There is such a case on the docket, though.

Q. He claims, and some other witness has said, that he was an attorney in that case. There are three cases, you say, of The County *vs.* Cook?—A. Yes, sir. He was an attorney in those cases. I noticed, in giving my testimony, that in counting those cases I counted those three cases as one. That was unintentional on my part.

Q. Have you the case of McGinnis *vs.* McCalef?—A. Yes, sir; I have that.

Q. And the case of McGinnis *vs.* M. E. Nelson?—A. That is one and the same case. There is a claimant's issue in that, and they are docketed McCalef *vs.* McGinnis, and very often there is nothing said about the claimant's issue. There is no case on my docket of that style—McGinnis *vs.* Nelson.

Q. Is there a case of Harriet Jefferson *vs.* Richard Jefferd?—A. No, sir; that has been disposed of.

Q. When was it disposed of?—A. I do not know when.

Q. Was it not disposed of at the last term of the court?—A. No, sir; it was disposed of before that.

Q. You will swear to that?—A. I will not swear positively to it, but that is my belief. I think execution had been issued prior.

Q. Here is a case of M. Faler & Co. *vs.* E. M. Bostick and Matthews, garnishee.—A. Yes, sir; there are two cases of that kind.

Q. Are there not three?—A. No, sir; on my docket it may have been G. E. Matthews and others, garnishees, all in one case.

Q. Do you know of the case of G. H. Matthews *vs.* Girot?—A. Yes, sir. That case has been disposed of at the last term. I have it on my list.

Q. Then you give him thirteen cases, according to that?—A. No, sir; I did not give him thirteen cases.

Q. How many do you give him?—A. The way I have it here, on this paper is, I give him ten cases, including the case of Cook *vs.* The Board of Supervisors.

Q. How many cases were on the docket that last term?—A. One hundred and forty-five cases.

Q. And how many attorneys are practicing in the county? I do not now speak of the town of Hazlehurst?—A. I do not know how many. I might count them up.

Q. Please count them up. How many are there at Beauregard and how many at Crystal Springs?—A. I think there are five at Beauregard and at Crystal Springs, if I have not overlooked any.

Q. Then there are fifteen or sixteen practicing lawyers in the county?—A. Yes, sir; about fifteen.

Mr. CAMERON. Now, if you divide the whole number of cases on the docket at the last term of the court by the whole number of lawyers in the county, I think you will find that Mr. Burnet had his share of them. That is all.

GEORGE J. MORTIMER sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. At Crystal Springs, Copiah County, Mississippi.

Q. How long have you lived there?—A. About twenty-five years.

Q. What are your politics?—A. I am a Republican.

Q. Have you been a Republican for several years?—A. I have been a Republican always since the party was organized in the State.

Q. Have you ever canvassed Copiah County?—A. Yes, sir; I have.

Q. Frequently?—A. Yes, sir.

Q. In the interest of the Republican party?—A. I canvassed the county for the constitutional convention of 1869, and repeatedly since. If you will allow me the privilege I will state that yesterday, supposing that I would come before you to-day, I sat down for a half an hour and jotted off about what I wish to say, and I can read it now, and I will submit it to the committee as my statement under oath. It is not very long; I can read it in five minutes.

Q. You submit that as your evidence, then?—A. Yes, sir.

The witness read as follows:

SENATE INVESTIGATION,
NEW ORLEANS, *February* 25, 1884.

GEORGE J. MORTIMER:

Have lived in Copiah County, Mississippi, past twenty-five years; occupation, farmer and some in public life; a Union man before the war, and a Republican ever since; been mayor, postmaster, a magistrate, and the first county superintendent of free schools for two years; canvassed the county and met the Democrats in the campaign of 1869 and 1870, for constitutional convention; was not a candidate; advocated election of one white man, one colored, which was done; canvassed the county for U. S. Grant, and carried it, 1,200 majority, about 400 whites voting with Republicans; have canvassed and voted for every National Republican Presidential election; may do so again; believe that Arthur, Blaine, Logan, or Grant would more than double any vote ever cast for the Independent ticket, so called, at last election in the county.

Public sentiment is growing more and more tolerant. I have declaimed and written and spoke publicly and privately, fully and fearlessly; never was molested or interrupted, except by a few rowdies I disregarded. The people listen and learn of all the issues before the two parties, and are not excited only on race issue, black against whites. This, of course, inflames the worst passions of both colors; never approved of violence; do not now. Know nothing of my own knowledge of killings or outrages at last local election; know some causes that led inevitably to this result. Family feuds, private wrongs, on the part of a few, took advantage of the excitement consequent on an election to seek revenges; nine-tenths of the people are law-abiding, peaceable, and industrious, Democrats as well as Republicans. There is not one hundred men in the county to defy the laws or that would deny or abridge the right to vote to any man as the Constitution and laws of the United States guaranteed.

A few irresponsible men have done all the wrong that has been done.

Killings occur elsewhere, all over the United States, at elections, in cities and in the country.

Copiah County remained quiet; no riots or bloodshed at elections, while several counties neighboring have had these troubles. The conservative element of both sides here kept the peace and obeyed the laws; held fair elections. Ben. King, two years ago Independent candidate for governor, a native, and personally a very popular man, honest and able lawyer, only carried the county by a small (12) majority. McNeil, Independent, ran ahead of J. P. Matthews some hundred votes. The opposition from both sides was against Mr. J. P. Matthews. Personally, Mr. J. P. Matthews was kind to his family and clever to connections. In politics everybody knows, and his own friends and relatives testify, was a "violent man, abusive in his language, intolerant in speech, and rash in his conduct." Personally, we were friendly. I have voted for him three terms as sheriff; have told him his course was detrimental to the public interest and the Republican party. His speculations in the county finances had brought us all into disrepute and the county in debt; asked him to desist. Some of his relatives, all the white Republicans, and many of the blacks, withheld their support from him for these reasons.

The opposition in our county is not to Republicans or Republicanism, but to his modes and methods. The constant falling off in his vote proves this. He and his brothers (except Leon) are considered unscrupulous—making money rather than party or principle their aim. The feeling was very bitter against Matthews's leadership, as he sought to control, and did largely, the county affairs, board supervisors, treasurer, and other officials. I never heard or knew of anybody threatening his life. I do not believe he thought he would be killed, or anybody else, nor do I believe the Democratic party are at all responsible for his killing.

The Democrats made their nominations in convention and so did the Independents. I saw no Republicanism in either; nothing but a revival of the old hates by the Independents. I tried to reason with them that they could not succeed, and if they did they were powerless for good; that in arraying the negroes under the Matthews they drove off all the whites. And most of the whites withdrew from them and voted for the Conservative Democrats, and clubs of negroes did the same.

An average vote was polled, about 3,800. The Independents were beaten over 2,000. The Republican party in the county never was or will be beaten so largely. I vote at Crystal Springs. The election there was perfectly quiet and fair; no man hindered from voting as he pleased. Many negroes voted Conservative Democratic tickets. For twenty years there has always been some Democrats among the negroes. I know them well all over the county; I can give names.

All the trouble in Copiah County has been largely exaggerated. Nobody would have hurt Mr. Burnett. As reported in the National Republican, Washington, over twenty statements are not true in fact. He is excitable, impulsive, and an unsafe counselor; thought to be a clever man of a good family. I am not here as the witness of any party, but summoned by the committee, not knowing from which side. I regard the full import of my oath, to "tell the truth, the whole truth, and nothing but the truth"; am ready to comply as far as in me is. I would like to state I talked to hundreds of the negroes, as well as the whites; was, just previous to the election, in different parts of the county, and the universal sentiment was Hargraves, the present sheriff, had made

an excellent sheriff; had made an efficient, satisfactory officer to all; that Ed. Brown, the clerk, was kind and considerate, and proved to be the most popular man on the ticket; that their opponents, while clever men, were inexperienced and untried; and that a man can be in Mississippi a Republican and be respected, though all men are taken on trial, so to speak; and while some intimidation and outrage may be inferred or proven, yet not enough to change materially the results of the late election; and that I have and will continue to condemn all violence in both parties, as solving no questions in dispute, but as demanding swift justice at the hands of the courts. Any party to succeed must deserve the confidence of the country, and this the Independent party, so called, in Mississippi and Copiah County had utterly failed to inspire the people with.

I wrote that hurriedly in my room and I want to swear to that as true and which I can stand by. That is the impression made on my mind. I may be incorrect. I do not say my deductions are all correct.

By the CHAIRMAN:

Q. You voted the Democratic ticket at the last election?—A. Yes, sir; I voted with the Conservative Democrats. It was a local election, with no politics that I could see in it at all. It was a question whether they should have the affairs of the county economically administered, and who were the best men to do it.

Q. Do you believe that Print Matthews was killed on election morning?—A. Do I believe it? I have heard evidence which makes me believe it; yes, sir. I will tell you what I think. I regret the killing, and I said it, too, on the streets of Crystal Springs, and I can name the men I said it to. I have said that, and I will stand by it. I do not believe in any killing.

By Mr. CAMERON:

Q. What county offices did you hold at Crystal Springs?—A. I was appointed mayor under Governor Ames, and I was also postmaster there, and I was county superintendent of public schools.

Q. Did you have any difficulty in making your settlement as postmaster?—A. No particular difficulty. I was claiming when I went out of office there a balance of $60 in the post-office, and they were claiming something on the money order business, and I wrote the Department, and I have their letters now, that I would be in Washington, and come there and bring my books and we would balance the account, and whatever I was owing I had the money to pay. That was done.

Q. You did owe something when you went out of office?—A. Yes, sir. They allowed me the $60 and I paid something.

Q. You were in very much the same situation that Mr. Matthews was in when he went out of office. He claimed that the county owed him a certain amount, which the county admitted afterwards, and when the account was adjusted he paid it off?—A. Yes, sir. I never understood Mr. Matthews was a defaulter, and I do not know anything about it. I am prepared to answer for any defalcation myself here or anywhere. I did not cover up anything. I went to Washington and took my books and paid the balance that was found due.

By Mr. SAULSBURY:

Q. You have been questioned as to whether you were not in default when you went out of office as postmaster. I understand you to say that you went to Washington and adjusted and settled your account?—A. I did, and took my books, too.

Q. And paid every dollar that the Government claimed of you?—A. I did.

Q. Who succeeded you in the office; was it Mr. Willing?—A. Yes, sir.

Q. What was his politics?—A. He was a Republican.

Q. Do you know whether he was a defaulter or not?—A. Yes, sir; I think he was, pretty largely.

Q. Was he removed?—A. Yes, sir; he was.

Q. Who succeeded him?—A. Mr. Lewis.

Q. What was his politics?—A. I do not think he had any hardly. He voted sometimes one side and sometimes the other. That is my judgment.

Q. Was he a defaulter, do you know?—A. I so understood.

Q. You then settled your account and paid every dollar you owed the Government?—A. Yes, sir; I did.

Q. And two of your successors in that office since have made default in their accounts?—A. That is my understanding.

Q. That is, as you are informed?—A. Yes, sir; that is my understanding.

By the CHAIRMAN:

Q. Do you know whether their accounts are settled?—A. I do not.

Q. Do you know whether they have paid the Government or are ready to pay when the account is settled?—A. I think one of the men, Lewis, is dead. Mr. Willing has paid up.

Q. Was he any more of a defaulter than you were?—A. Well, no; he was said to be at the time, I say.

Q. Were you said to be a defaulter?—A. No, sir; nobody charged me with defaulting.

Q. But you owed something to the Government?—A. I did.

Q. And had to have a settlement of the account to find out how much?—A. Yes, sir.

Q. And Mr. Willing owed something to the Government?—A. Yes, sir; but that has been paid.

Q. Mr. Willing's successor was Mr. Lewis?—A. Yes, sir.

Q. Mr. Lewis died in office?—A. He died; whether in office or not when he died I do not know.

DANIEL C. WOODS sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I am living now at Pine Bluff. I have been living since the 1st of September at Myles Station, in the northwestern portion of Copiah County, on the Natchez and Jackson Railroad.

Q. Do you know Noah Ramsey?—A. Yes, sir.

Q. Noah Ramsey testified here the other day that he met and had a conversation with you at Myles Station shortly before the last election in which you made a statement to him that Mr. Matthews would be killed; did you have any such conversation or make any such statement?—A. No, sir; I had no conversation with him whatever before the election.

Q. And consequently made no such statement to him?—A. No, sir.

Q. Did you see Noah Ramsey for any short time before the election?—A. I do not remember whether I did or not. I saw him a time or two. He runs up and down the railroad there selling sewing machines.

Q. But you had no such conversation?—A. No, sir; I had not been

in Hazlehurst from the 16th of July until the 29th of October. I was farming out in the country, and I went back there on business. I was standing on the platform having some cotton marked right opposite Mr. Matthews's store, and he called me to him——

Q. Who did?—A. Print Matthews. I met him at the public well, just half way between the platform and his store, and he was talking to me about accepting the nomination of the Democratic party as coroner and ranger; that he was just holding back; that he was going to put me in as circuit clerk on the Radical ticket, or wanted to do it, and I told him I was not that kind of a cat; I was a Democrat, and always had been, and always expected to be. And he said he knew I had a big influence with darkies—more than any other man—and he would like to have me on that ticket. I told him I could not do it; that I should use my influence for the Democratic ticket. "Well," he said, "we have got the dead wood on this election, and we are going to carry it."

Q. Print Matthews said that?—A. Yes, sir; he asked me where I would vote. I said at Heath's store, and he said he would be there that morning. I said, "All right; we are going to have a good time down there." I says, "Come ahead." He did not come.

Q. Did you know Print Matthews well?—A. Yes, sir; I think as well as any man in the county.

Q. Do you remember whether he had at any time a difficulty with Judge Mayes?—A. Yes, sir; it was either Judge Mayes or his son who came to me one evening and asked three or four or five of us to go to his house and stand guard; that he had heard that Mr. Matthews was coming there with a mob to kill him. I went there with a gun and staid all night.

Q. When was that?—A. I do not hardly recollect when it was; it was some time after 1875.

Q. Judge Mayes and Mr. Matthews were brothers-in-law, were they not?—A. Yes, sir; he said that he had heard that Mr. Matthews was coming there with a mob to kill him.

Q. And you helped to guard his house?—A. Yes, sir.

Q. Who was with you?—A. John Taylor and one or two others were there; I do not know the others.

Q. Where was Judge Mayes living?—A. On the road that leads from Gallatin to Natchez.

By the CHAIRMAN:

Q. Were you one of those gentlemen who rode around before the election?—A. No, sir; I knew nothing about it at all.

J. M. NORMAN recalled.

By Mr. SAULSBURY:

Question. You are the chancery clerk of Copiah County?—Answer. I have been.

Q. When was your term out?—A. In January last.

Q. As chancery clerk was it or not your duty to ascertain the condition of the business of the officers of the county at the close of their terms?—A. Yes, sir; I audited the accounts of public officers.

Q. I will ask you what was the condition of the finances of Copiah County when the board of supervisors came into office?—A. In the county general fund, in round numbers, there was about $13,000 in cash. There was a school debt of probably $3,000, about.

Q. What was the condition of the finances of the county when they went out of office?—A. The county was in debt, and, as near as I can

come at it (no report of the treasurer having been made for a month or two before my term expired), it was between $15,000 and $20,000 that the county was in debt, as I estimated it.

Q. That was on the general fund?—A. No, sir; not entirely on the general fund. I think the county must have been in debt $12,000 or $13,000 on the general fund.

Q. During that time who was the county treasurer?—A. First Mr. W. L. Ainsworth. He died and his brother was then elected.

Q. Was Mr. Ainsworth an Independent Republican or Democrat?—A. Mr. Wesley Ainsworth was an Independent.

Q. After his death his brother was appointed?—A. He was elected to fill the vacancy.

Q. Elected by whom, the supervisors?—A. No, sir; by the popular vote. There were several candidates who run.

Q. Who was the bondsman of the successor to Mr. Ainsworth?

The WITNESS. Do you mean who was the bondsman of the second Mr. Ainsworth?

Mr. SAULSBURY. Yes.

The WITNESS. Mr. J. P. Matthews and his family, his brothers and either his mother or his wife, I do not recollect which; one of the ladies, though.

Q. Do you recollect who had charge of the funds of the county while he was in office?—A. Yes, sir; Mr. Matthews had charge of the funds and made the reports.

Q. Were the funds kept in the county safe?—A. No, sir; they were not.

Q. Where were they kept?—A. I heard Mr. Matthews say when he took it out that he had a safe down in his store to keep it in.

Q. Did he take charge of the funds when the funds came in, and take them to his store?—A. I never saw him take the money out of the sheriff's office, but I never saw the treasurer come up there to get the money unless Mr. Matthews or one of his brothers was with him. I did see them one time with the money carrying it off.

Q. You heard Mr. J. P. Matthews say that he kept it at the store?—A. No, sir; I heard him say that he had a safe in his store; not to put the money in the county safe; that he had a safe in his store.

Q The first Mr. Ainsworth that died, was he in default to the county?—A. Yes, sir.

Q. What was his defalcation?—A. About $1,900, I think.

By Mr. FRYE:

Q. What office do you say you held?—A. Clerk of the chancery court.

Q. As clerk of the chancery court, was it your duty to investigate the accounts of the other officers?—A. Yes, sir; I was also ex officio clerk of the county board of supervisors, and also auditor of accounts of public officers.

Q. When did you make the last examination?—A. I said the treasurer made his last report a month or two before my term expired.

Q. When did you make your last investigation?—A. Well, I said this——

Q. I ask you when you made your last investigation?—A. I never said I made an investigation. I said according to my estimate and my book, the book before me and the report——

Q. That the town or county owed $13,000?—A. The county owed $12,000 or $13,000 on account of the county general fund, and considerable on account of the school fund.

Q. That was when?—A. I went out of office in January.

Q. When was this that you made your estimate?—A. Just before I went out of office. I posted up the books to the date that I went out of office.

Q. When was that?—A. The first Monday of January of this year, 1884.

Q. How did I understand you to explain that the debt of the town and county had increased; increased from what time?—A. I do not know anything about the town debt.

Q. Well, about the county debt?—A. The board of supervisors that have just gone out of office went into office the first Monday of January, 1882. In May of that year the treasurer made a report, and there were $13,000 in round numbers (I do not know the odd numbers) in the county general fund, and the county was in debt about $3,000 on the school fund. There were two different funds.

Q. What I want to get at is this: you are undertaking to show that somebody increased the debt of that county, are you not?—A. Yes, sir; I suppose so.

Q. How much was the debt increased and under whose administration was it increased?—A. I say it was increased under the administration of the last board of supervisors, the one that has just gone out of office.

Q. How much do you say it was increased under them?—A. We had no debt. If you would take $3,000 out of $13,000, and pay the school debt, the county would have been ahead $10,000 on everything. When I went out of office it was in debt, according to the nearest estimate that I could make, between $15,000 and $20,000.

Q. That is to say, there had been an increase of indebtedness of $25,000; is that what you mean?—A. Well, they spent the money they had and got the county in debt that much.

Q. What did they do with it?—A. I do not know. They appropriated it in various ways.

Q. To what?—A. I can give you one item. There was a bridge which cost $9,000.

Q. Was the bridge built?—A. Yes, sir.

Q. And paid for?—A. No, sir; it is not paid for.

Q. It is a part of the debt against the county?—A. Yes, sir.

Q. What else did they do?—A. I believe they declared a great many persons paupers over the county, and permitted their friends to take care of them and paid them for it from three to six or eight dollars a month.

Q. How much did that amount to?—A. I do not know.

Q. That is to say they took care of the paupers, and that is a charge. What else did they run in debt for?—A. My dear sir, I could not tell you everything they run in debt for.

Q. I thought you made a careful estimate of this whole thing so as to be able to instruct the committee in regard to it?—A. I did not make a careful investigation to instruct this committee, because I have never looked at the book since.

Q. What did you make the investigation for?—A. Because I was auditor of the county.

Q. Did you not audit all the bills?—A. No, sir.

Q. Then how could you make your estimate?—A. My duties as auditor were these——

Q. I know what the duties of an auditor are?—A. Probably you do generally, but not under that law, may be.

Q. You may state.—A. It was my duty to do this. Any officer who wished to pay money into the treasury, I would give the treasurer an order to receive it, check his receipt, and charge the money against him and credit the officer who paid it in. When the treasurer made a settlement with the board of supervisors and they made allowances to the treasurer for the vouchers returned I gave him credit for those vouchers.

Q. But you said you made an estimate which showed that the county had been run in debt from fifteen to twenty thousand dollars; I want to know how you made up the estimate?—A. I issued warrants on the treasurer. Those warrants are registered and the treasurer takes them up and returns them as his vouchers, and they are then canceled.

Q. You then charged as the debt of the county all the warrants that had been issued and had not been returned as canceled?—A. Yes, sir.

Q. How do you know how much money the treasurer had in his hands?—A. I know that by the condition of the treasury at the time they commenced paying taxes. I know there was nothing in the treasury when they commenced paying taxes.

Q. Do you mean to be understood here as swearing, under the solemnity of an oath, that Print Matthews was a defaulter?—A. No, sir; I was not talking about Print Matthews.

Q. Do you mean to testify that Print Matthews had any power or control over them and ran that county in debt; he was not in office, was he?—A. No, sir.

Q. Do you not know the reason he was holding the money of that county was because he had gone on the bond of the treasurer and as security for himself?—A. I think that was one reason.

Q. Do you mean us to understand that Print Matthews had been doing anything which did bring, or was bringing, the county into debt?—A. No, sir; I did not mean to say that.

Q. Was not Print Matthews able to respond to any debt of that county any day or hour? Had he not property enough to respond to any debt that he ever owed the county?—A. So far as I know, he had; I know nothing to the contrary.

Q. Was it not the habit of the treasurer of that county before Mr. Ainsworth became treasurer to deposit the money of the county in the various safes in the city?

The WITNESS. The first Ainsworth?

Mr. FRYE. Yes; before he got the county safe.

The WITNESS. I believe so.

Q. Did they not have an old county safe which was rather a poor one?—A. Yes, sir.

Q. Was it not the habit of the treasurers before that time to deposit the county money in various places where they thought it would be safe?—A. It was.

Q. Do you think it was not safe in the safe of Mr. Matthews?—A. I do not know anything about that.

Q. Do you not think it was as safe in the safe of Mr. Matthews as in half a dozen safes around in the county?—A. I expect it was.

Q. Was not Mr. Matthews safe bought by the county?—A. I do not know. Mr. Matthews bought a safe and wanted a committee, of which I was one, to take it for the county.

Q. Did he not buy it for the county?—A. He might have bought it for the county.

Q. Did the county take it?—A. No, sir.

Q. They bought another?—A. Yes, sir.

By Mr. SAULSBURY:

Q. Was it, or was it not, the impression and belief through the county, that the management of the financial affairs of the county by the late board of supervisors was an unwise expenditure of the public money to the detriment of the tax-payers of that county?—A. Yes, sir; I will state here, if you will permit me, in regard to that; I do not care about being a volunteer witness in the matter, however.

Q. If you know anything just tell it.—A. The way in which the county general fund was brought into debt was this: Our schools are taught there and the scholastic year commences in January. The financial year commenced the first of October, when they commenced collecting taxes. The schools are taught before the tax is levied to pay for them, and the warrants are sold. Mr. Matthews, by his influence with the board of supervisors, had them levy a 5-mill school tax, which is 2 mills more than the law permitted.

By Mr. FRYE:

Q. He increased it; he raised more money, you say?—A. Yes, sir. I do not say that he violated the law, but the board of supervisors did it. They levied only 2¼ mills for the county general purposes, and on that account the county general fund was exhausted within a year from the time the first report was made after that board went into office. Mr. Matthews had the money in his safe, and as the school money would come in he would buy school warrants on the street, and could cash his warrants.

By Mr. SAULSBURY:

Q. Do you know whether Mr. Matthews bought those warrants at a discount?—A. I only know this, that the teachers would tell me who they sold their warrants to, and what they got for them.

Q. Out of the county money in his safe at the same time that he bought those warrants and paid for them?—A. I would not say that. He had money all the time, and the money went into the safe.

By Mr. FRYE:

Q. Do you mean to say that Mr. Matthews, contrary to law, took the money of Copiah County and bought warrants with them?—A. No, sir; I do not say that.

Q. Do you mean to say that there was any wrong if I held a warrant against Copiah County which was not due, in Mr. Matthews buying it?—A. No, sir.

Q. Do you mean to say that if I compelled a discount of 5 per cent., or you held a warrant and were willing to pay a discount of 5 per cent., I did any wrong in buying it?—A. No, sir.

Q. Then you do not mean to say that Mr. Matthews fraudulently took the money of the county and purchased county warrants?—A. No, sir; I said the money was in the hands of the treasurer.

Q. But that was simply in Mr. Matthews's safe for safe keeping and to secure him against loss?—A. And he, Mr. Matthews, paid money out on warrants.

Q. Do you mean that Mr. Matthews took the county money and bought warrants?—A. No, sir; I have not said that.

Q. Did you not trade in warrants?—A. I did not.

Q. Never?—A. Never.

Q. Did not your wife buy any?—A. Yes, sir.

Q. How many did your wife buy?—A. Probably four or five hundred dollars' worth.

Q. Do you think your wife committed any unpardonable sin which would justify the white people of Copiah County murdering her because she bought warrants?—A. No, sir.

Q. How much schools do you have in Copiah County?

The WITNESS. What do you mean—the length of time?

Mr. FRYE. Yes, what length of time?

The WITNESS. Four months. We had five months schools three years ago, I think.

Q. How much money do you raise for all school purposes in the county of Copiah a year?—A. I reckon nearly $11,000.

Q. For the whole county of Copiah?—A. Yes, sir.

Q. And that furnishes you with schools four months in the year?—A. No, sir; we get other funds; we get some from the State.

Q. What do you get from the State; how much does the county get from the State?—A. That varies. Let me see if I can tell about the lowest we have gotten in a year.

Q. Give the highest.—A. Probably $4,000.

Q. Making $15,000 in all?—A. Yes, sir.

Q. In a county of how many inhabitants?—A. Twenty-seven thousand inhabitants.

Q. Which cast a vote of five to six thousand?—A. No, sir.

Q. Which has a voting population of five to six thousand?—A. Yes, sir; that is, there are that many registered.

Q. That furnishes you with schools for four months in the year?—A. Yes, sir.

Q. Do you think it was any justification for the killing of Print Matthews that he wanted to increase that amount of money and raise more for school purposes?—A. No, sir; I have no idea it was any justification for killing him.

Q. Do you think his providing the county of Copiah with bridges, and in other ways increasing the debt in some two or three years $10,000, was any justification to the white men of Copiah County in going around and beating negroes, shooting into their houses, and killing some, in order to overcome the party which had brought it in debt?—A. It they did it I do not think it justified them at all.

Q. Do you think it is the slightest justification?—A. Not if they did it.

Q. Do you not think they did it?—A. No, sir.

Q. You do not think there were any negroes shot or whipped?—A. Oh, no, sir; I do believe it.

Q. Do you not think it was done for political purposes?—A. No, sir; I do not believe it was done by the men you want to lay it to.

Q. You believe it was done by Democrats, do you not?—A. I do not know whether they were Democrats or not.

Q. Do you not believe it was done to keep the negroes from voting?

The WITNESS. The shooting them?

Mr. FRYE. Yes, and the pounding them.

The WITNESS. No, sir; I have heard of one or two being whipped; I believe one or two were for politics.

Q. Do you not think the firing of guns around through beat 3 for a fortnight before election was done to frighten the negroes?—A. No, sir; the negroes are not afraid of guns; they are shooting all the time; they carry guns all the time.

Q. Are they not afraid of guns in the hands of white Democrats?—A. Yes, if they thought they were going to shoot them they would be.

DANIEL PRICE (colored) sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. In Copiah County.

Q. In what part of the county?—A. Beat 4.

Q. What is your voting place?—A. Carpenter's Station.

Q. Have you lived there long?—A. Yes, sir.

Q. Do you know the colored people in that part of the county, in your beat, pretty well?—A. Yes, sir.

Q. What were your politics last election?—A. My politics was Democratic.

Q. Did you organize a Democratic club out in your beat?—A. Yes, sir.

Q. Were you president of it?—A. I was chairman and vice-president.

Q. How many members did it have?—A. I do not know exactly. The first night we organized the club, as near as I can come at it, there was about forty or forty-five.

Q. Were there more afterwards?—A. Well, it didn't increase. Yes, it increased some for three or four nights, and then after that it didn't increase any. I think it got up to about forty or fifty.

Q. Did you have any speakers address you?—A. Yes, sir.

Q. Did you all vote at the election?—A. Yes, sir; we all voted.

Q. Was it a peaceable, quiet election out your way?—A. They had a little disturbance there in the morning before I got there at the election, but I never saw it, and after that it was peace and quietness all the way through.

Q. Did both parties vote?—A. Yes, sir; both parties voted.

Q. Do you know whether the colored men in that part of the county were favorable to Mr. Matthews's influence or not?—A. No, sir; they was not.

Q. Were they tired of it?—A. They was.

Q. Did they want him to come down and address them?—A. No, sir.

Q. What did they do about it?—A. Well, they held a little meeting there, Mr. Miller and Mr. Brown, I believe; I do not know that gentleman, a witness who was here to-day; they held a meeting there at the church one night, and I did not turn out. I did not know it in fact, not until night, and Mr. Fulghum, a citizen who lived down there among us, he came to me next morning, at least I went to the store, and he asked me why I was not at the meeting last night. He says, "We had a glorious meeting out there," and he says he never was so well satisfied in his life to see the colored people join together and think of their own interests. I asked him how they turned out, and he said that the speakers did not really have time to speak from the colored people wanting to speak, and his remark was to me of that meeting that night, that the colored people was wanting to speak in regard to not any of them hearing anything that Mr. Matthews had to say if he came down there and spoke among them. In a short while after that we formed a club over there at Carpenter's, and Mr. Fulghum was president and I was the vice, and the majority of the colored that night and myself (I offered it to the house) agreed to appoint a committee to send up to Hazlehurst to invite Mr. Matthews not to come down there, for we thought that it was best for him to stay where he was, and it was the best for us to stay where we were, as we were at home and he was at home.

Q. And you did not want him to speak?—A. No, sir. But that was not exactly carried out, but it was the testimony of nearly every friend to the black people down in that settlement that they really was tired

of this, that, and the other, and they have got qualified at home, and they mean to proclaim that the gentlemen they lives with is their best friends, and, gentlemen, honestly, they are. They promise us all our rights and our free privileges and everything and do honestly, and has since some years ago dealt with us in a manner to make us think and believe and know that they is our dependence in a 'casion of a stress.

Q. You prefer to depend on them than on the managers?—A. Yes, sir. And we went on, and Mr. Dodds and Mr. Meade and Mr. Burnet came down there and made a speech after all of this. They spoke to us. I will say this, there were some that took an interest in Mr. Burnet's speech, but the majority taken more interest and seemed to be more satisfied with Mr. Dodds's and Mr. Meade's speech than they was with his, and did say that they would really vote for them—for Mr. Dodds—and vote a square Democratic ticket, and they would wish not to be disturbed and bothered in it. And when we came to the polls, on Monday before I got there, there was a disturbance, and after the disturbance—the white people had a little disturbance, that is to say—and after this me and Mr. Jones out there got to arguing, and there was another word or two spoken, but not any so much at all, and that was soon settled, and after that it was carried out quiet and peaceable as I saw. I won't say, for instance, how many, but I saw the colored and white just walk right square to the polls, and I did hear Mr. R. B. Mims say to the colored this, "Come right up, gentlemen, and vote any ticket you please; vote it wide open if you want to; you won't be hurt here to-day; just vote any ticket you please." He stated that in that house. And there was a man on his place—I lives on it myself—the man on his place, his profession is a Radical, and there was some talk of being bulldozed, and made to turn over or turn away or something, and he got uneasy, and he went to Mr. Mims and asked him about those things, and Mr. Mims, to him in my presence, he said, "Joe Womack, you live on my place, and I think as much of your labor as I do of the best Democratic labor that lives in the State of Mississippi; your labor is what I think of you, and my money is what you think of me. You go right up to the polls the day of the election, and you vote any ticket you may want to vote, and I will see that you aint hurt, let you be Radical or Democrat." That satisfied him, and he went home satisfied.

J. L. MEADE sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Hazlehurst, Copiah County, Mississippi.

Q. How long have you resided in Copiah County?—A. Since September, 1880.

Q. What is your profession or business?—A. I am a lawyer.

Q. Were you chairman of the executive committee of the Democratic party at the last election?—A. Yes, sir.

Q. I ask you whether, as chairman of the Democratic committee of Copiah County, you ever, during the canvass, encouraged lawlessness or violence by the Democrats of that county?—A. I did not.

Q. There has been some testimony given as to armed men coming into Hazlehurst on the day preceding the election. Had you any conversation with Mr. J. P. Matthews on that day in reference to that matter?—A. Yes, sir.

Q. Please state what the conversation was.—A. On the day before the election it was understood that there would be a crowd in town that

day. That fact seemed to give some alarm to Mr. Matthews, so the city marshal reported to me, and he told me that Mr. Matthews had seen him on two or three different occasions, telling him that he was uneasy; that his family was sick (I believe his daughter was sick and the wife of Mr. Ed. Matthews, the postmaster, was sick), and that he was fearful his family would be disturbed or molested. I told the city marshal that there was no danger in my judgment; that no one intended to molest him at all. The city marshal told me that he had endeavored to assure Mr. Matthews of that fact, and told him that I would do what I could to prevent anything of the kind. He said Mr. Matthews's reply was that he would rather see it than to hear of it, and he asked me to go with him and tell Mr. Matthews that I did not think there would be any danger, and to give him some consolation in regard to the matter. I did so. I went up to the store where there were present Mr. Print Matthews, Mr. Ed. Matthews, and Mr. Leon Matthews, and after some talk with them I told them what I had heard, and told them that if any one undertook to interfere with their families that day that I would assist them in protecting them; however, that I believed there was no danger, but if any disturbance did occur in regard to their families that I would take sides with them and do what I could in protecting them. I further stated to Mr. Matthews that I would pledge him my word that a gun should not be fired by that crowd on the east side of the railroad, that is the side on which they lived, all of them. Mr. Matthews thanked me and apparently with some gratitude. Mr. Ed. Matthews said they would defend themselves. I told him I thought he would make a poor out at that if he undertook that game at defending himself, if that was his intention. If you want my exact language I can give it. That is the substance of it.

The CHAIRMAN. You had better give your exact language where you remember it.

The WITNESS. Yes, sir.

The CHAIRMAN. Have you given your exact language?

The WITNESS. No, sir; I have not.

The CHAIRMAN. You had better give the exact language.

The WITNESS. I do not know that it is necessary, that expresses the sense.

The CHAIRMAN. Give your exact language.

The WITNESS. Well, I told him he would play hell at that.

By Mr. SAULSBURY:

Q. There was no disturbance of Mr. Matthews's family on that occasion, was there?—A. No, sir; I started to go on and relate. After I learned that the crowd was near town, I rode out and told them the condition of Mr. Matthews's family, and told them that I had pledged in their name that no disturbance would occur, and that no gun should be fired on that side of the railroad, and asked them to carry it out. Then I came on back to town. When they came nearer still, inside of the corporation, the members of the band went out. I went with the band, and as it started in town again I was at the head of the band for the purpose, and leaned over and whispered to the leader as I turned the corner for him to turn too, and I was satisfied that the procession would follow, too, in that way. I turned them around and brought them up to the courthouse again. In the evening they passed in front of Mr. Matthews's house, but there was no disturbance. It was quiet and orderly when they passed there. As they passed through town at first they would be waived to and would return the salute, but when they passed Mr.

Matthews's house it was as quiet and orderly a crowd as could have been.

Q. Did you tell Mr. W. P. Ware at any time that the cannon was fired as a signal of Mr. Matthews death, or in any way expressing the gratification of anybody at his death?—A. Most positively and emphatically I did not.

Q. Has it, or has it not, been customary in that county for political parties to take with them a cannon when going to attend political meetings for the purpose of making the announcement of the meeting?—A. I think it has been; it has been since I have been there, and this is the second canvass I have been through since I have been there; it has been in other parts of the State, I know.

Q. Was, or was not, that the object of taking this cannon or gun that night?—A. I thought so. I never went with the cannon, but my understanding was it was to cheer our speakers when speaking, and use them, as we had been using them, in processions. I would like to explain my answer in justice to Mr. Ware. I will say he might have misunderstood me.

Q. Make your explanation if you desire.—A. Mr. Ware asked me why the cannon fired; it was some time after it had fired when he asked me; I told him that I understood that it was fired as a signal by a previous understanding with the club in the town, or citizens in town and those out of town, that in case we had trouble and needed help or anything of that kind the gun should fire once as a signal of distress, and those who heard it should come in to our assistance. I told him that. As to telling him it was a signal for Mr. Matthews's death I could not have done that, for I did not know that Mr. Matthews was to be killed.

Q. Was there or not much excitement during the political canvass in your county?—A. Yes, sir; a great deal of excitement; the excitement ran very high.

Q. State some of the causes which led to that, which produced that excitement in the county in the canvass.—A. The causes were numerous; it would be difficult to state all of them. One was the fear that Mr. Matthews and his crowd would continue, or would get possession of the county government. Another was that we were constantly in apprehension of danger—I mean of a personal nature or character—from Mr. Matthews's language, from his threats, and from his conduct. I remember on one occasion it was currently reported, and generally believed, it seemed to me, that Mr. Matthews had instructed the negroes to attend a certain meeting that he had called in the town of Hazlehurst, and to come armed. That caused some excitement. When Mr. Burnet was shot it was stated, and came from the other side, that it was done by order of the Democratic executive committee. That created indignation, and that caused some excitement. There were various other things.

Q. The Democratic executive committee had never ordered the shooting of Mr. Burnet?—A. Well, if they did I was absent at the time; I did not preside at that meeting. I am satisfied that the executive committee knew nothing about it. We did not know that he was going to take his knife and cut at Mr. Hart, and that caused him to be shot. They could not have been possibly prophets enough to have foreseen that he intended to do that, and he was not in confidential relations with them, and could not have told them.

Q. A part of the excitement, I understand you to say then, grew out of the various rumors of threats on the part of Mr. Matthews and his crowd, as you call them?—A. Yes, sir; his crowd of negroes and understrikers.

By the CHAIRMAN:

Q. Were you afraid that this party whom you called the crowd of negroes and understrikers would constitute the majority of the people of Copiah County?—A. I was afraid they would get in possession of the offices.

Q. Were you afraid they would get in possession of the offices in any other way than by being elected?—A. No, sir.

Q. Then the excitement, so much of it as they attribute to that, was the fear that the majority of the people of Copiah County would elect certain persons to the public offices. Now, do you agree with some of the other Democratic witnesses here that the Republican ticket or Independent ticket was composed of very good men in that election?—A. Some of them were good, but all of them were under Mr. Matthews's influence, which made them all bad.

Q. But they were good men in other respects?—A. I regarded some of them as being good.

Q. Some of them were good, but all of them bad, as I understand your answer.—A. Very well, if you understand it in that way. I did not say so.

Q. I understood you to say that some were good men.—A. Yes, sir; but under the influence of Mr. Matthews they were all bad men.

Q. Some were good personally, but all bad in fact, when politics were concerned?—A. Yes, sir; when they were influenced by Mr. Matthews.

Q. What do you mean by being influenced by Mr. Matthews?—A. Controlled entirely by him.

Q. What do you mean by that?—A. The ordinary definition of the word controlled, that is all I mean. I suppose you understand what "controlled means."

Q. Suppose the majority of the people of Copiah County choose to elect to their public offices some men otherwise good, but under the influence of a person whose influence you regarded as bad. I ask you if you think that is a reason for using force and violence at the election?

The WITNESS. Do you speak of the past or is it a hypothetical question?

The CHAIRMAN. It is a hypothetical question, but it is based on what I understand to be your previous answer.

The WITNESS. Well, let us hear it again.

The CHAIRMAN. Did you think, during that election, that these men, otherwise good, were likely to be under the influence of Mr. Matthews, which you regarded as bad; and did you think that was sufficient reason for using force or violence to prevent their election by a majority of the people?

The WITNESS. Well, I say this, that I believe that where such a large portion of that majority was composed of ignorant men who did not know what was good for them, and who had been misled and misguided by Mr. Matthews; that under those circumstances, when they were not tax payers, not interested, rather than give up the government into the hands of Mr. Matthews and that ignorant crowd (I speak for myself now only) that I think that I would be willing to use violence rather than to permit it. I do not speak for the Democratic party.

Q. You would make a forcible revolution, and wherever that condition of things exists throughout the entire South you think it would be warranted?—A. I am speaking for myself individually and not for the Democratic party.

Q. I am asking your opinion as a leading Democrat. You were chair-

man of the executive committee of the Democratic party in a county which has been testified here to be quite equal, and some of the witnesses think superior, to the average of the State.—A. I was chairman of that committee.

Q. You do think that under like circumstances elsewhere the same thing would be justifiable and proper, do you?—A. I do not say anything about that; I have not thought much about it. I am just talking about my individual views in that particular instance.

Q. Do you not understand that the negroes were turning from the Republican to the Democratic party in that election?—A. heard so.

Q. You believed it?—A. I believe a good many were. I do not know what the number was from the fact that I did not get out of town much.

Q. Did you believe there was any danger of Mr. Matthews bringing his army of negroes down on the whites?—A. I did not believe he was too good to do it if it would subserve his purposes.

Q. But I ask you whether you thought there was any danger of his doing it?—A. I thought it was not unreasonable or improbable that he should.

Q. You did not think there was any danger of his doing it?—A. I say I did not think it was unreasonable or improbable to expect it after the rumors I heard. I heard threats all through the canvass that I was to be killed by Mr. Matthews.

Q. Who made the threats?—A. The Matthewses made them.

Q. Did you hear them?—A. I told you that I did not.

Q. I think you were one of the people he appealed to for protection, were you not?—A. Yes; I was on the last day of election. That would make no difference to him.

Q. Did you promise him protection?—A. Yes, sir; as much as I could offer.

Q. For his family?—A. Yes, sir; as much as I could.

Q. You did not promise to protect him?—A. He did not say he was in danger himself, and did not ask it for himself.

Q. You did not promise it to him?—A. No, sir; I did not because he did not ask me for himself.

Q. You were speaking of Mr. Burnet's cutting at somebody; did you see that performance yourself?—A. No, sir.

Q. You were not present?—A. No, sir.

Q. Then what you have stated about that you get from hearsay?—A. I know it from the sworn testimony of gentlemen whose veracity I do not doubt.

Q. But you get it from information of others?—A. I get it from sworn testimony in the courts, what a jury would act on under oath.

Q. Do you not know from that sworn testimony the fact that Mr. Burnet was alone without any friends of his way of thinking, and that Mr. Hart was accompanied by several white Democratic friends when that happened?—A. I do not so understand it at all.

Q. Who was present in company with Mr. Hart?—A. No one was in company with him. There had been some standing on the corner, and they walked off. T. J. Hargrave was one and J. E. Bailey was the other.

Q. Mr. Bailey was quite an active man in this crowd we have heard of?—A. I do not think he was intentionally. Do you mean in this fight with Mr. Hart?

Q. No; I mean in this company of mounted men we have heard so much about. Is Mr. Bailey the person who made a speech at this meeting after the murder?—A. He made a speech after Mr. Matthews was killed.

Q. You do not call it a murder, perhaps?—A. I am not called upon to try that case, and do not propose to express an opinion.

Q. Was Mr. Hart a member of that cavalry company himself?—A. I think it likely that he was; my belief is now that he was.

Q. Was Mr. Bailey also?—A. I think so. There was no cavalry company about it. He was in the crowd that came into town on Monday before the election in line, two and two. He was in that crowd.

Q. Did they hold any meeting in town, that crowd, or did they merely parade the streets?—A. I think they held a meeting. I was not present at it.

Q. They passed a resolution telling Mr. Matthews not to vote?—A. If they did I do not know of it. They went off by themselves when I came up; just about that time they dispersed.

Q. You had heard they passed a resolution, or of their passing a resolution, warning Mr. Matthews not to vote?—A. Yes, sir; and I also heard the statement that Mr. Burnet said it was in my handwriting.

Q. Please confine your answer to the question.—A. I will try.

Q. Did you approve that resolution?

The WITNESS. Did I approve it?

The CHAIRMAN. Yes.

The WITNESS. Well, I didn't think much about it.

Q. Do you now approve it?—A. I think it is rather late to pass judgment on it now.

Q. You are unwilling to answer the question whether you approved it or not. You can leave it either way.—A. I think it was a little ill-advised; I will say that. Possibly it would have been better if it had not been written.

Q. In what respect, in your judgment, would it have been better?—A. It would have been better for Mr. Matthews.

Q. Was this crowd of people who came in on horseback that day on the street, tax-payers?—A. Yes, sir.

Q. They were generally all tax-payers, were they?—A. The crowd generally were tax-payers; they were not all tax-payers. The crowd generally was composed of tax-payers, and some were as good men as there are in Copiah County.

Q. Quite equal, then, to the average of men everywhere, in your judgment, with excellent qualities?—A. I regarded them as such; I did, sir.

Q. You say they were waved to as they passed through town. What do you mean by being waved to; having persons wave their handkerchiefs, ladies and men, both?—A. Yes, sir.

Q. You knew when you went out to meet them that they were quite likely to proceed to Mr. Matthews's. Did you not know that they had a strong feeling against Mr. Matthews when they came in?—A. I do not know and did not know they were coming for that purpose, but having heard it, to carry out my promise and assure myself, I went to see and did what I stated.

Q. What did they state to you?—A. I do not remember that they made any particular response, but I felt satisfied from the indications that they would do as I requested them.

Q. What made you think you should have that influence with them?—A. I did not know that I had.

Q. You said you were satisfied they would do as you requested them?—A. I thought they just thought enough of me to do it.

Q. You thought they thought enough of you to do what you requested?—A. I did.

Q. Who was the city marshal?—A. Mr. A. G. McMaster.

Q. Are you the editor of the principal Democratic paper there as well as the chairman of the Democratic committee?—A. I am not.

Q. Were you then?—A. Yes, sir.

Q. During that time did you publish anything in your paper in condemnation of any of the occurrences which took place which have been described here, their going to the houses of colored men, or the shooting or whipping, or the killing of Mr. Matthews?—A. I did not. It is not our custom in that country to try to prejudge a case before it comes before a jury.

Q. Did you not know that this man had admitted the killing of Mr. Matthews; that it was done on purpose?—A. I have no doubt as to who did it. He never told me the circumstances.

Q. Then you had so far judged as to have no doubt as to who did it.—A. No, sir.

Q. Had you any doubt that it was done on purpose and in pursuance of a plan on the part of Wheeler?—A. I knew nothing about that.

Q. What was your belief?—A. I told you just now that I did not intend to express an opinion on the merits of that case; that is to be tried in our county.

Q. Whether it is to be tried in your county or not we do not know.—A. Well, wherever it is to be tried.

Q. You say that the reason that you made no comment upon the character of that deed in your paper is, because you did not want to prejudge a case that was to be tried?—A. No, I did not say that.

Q. I will ask you if that is your reason; what was your reason, if that is not it?—A. I did not think it was becoming at the time under the circumstances.

Q. Under what circumstances?—A. Inasmuch as it had to be investigated.

Q. Was that the reason; because it had to be investigated?—A. That was a sufficient reason, I thought.

Q. Was that your only reason?—A. I mentioned the fact and then it never occurred to me to comment upon it; and therefore I did not think or decide any reason why I should not; it was not a habit to comment on those things, and it had not occurred to me to comment, and therefore I have no special reason to give why I did not.

Q. Did you hear of the killing of Tom Wallis?—A. I was not in the county; when I came home, about a week after, I heard of it.

Q. Was that published in your paper or not?—A. I do not remember whether it was or not; I was absent.

Q. Did you hear of the shooting of Frank Hayes and his wife?—A. I don't think I did; if I did, it has entirely escaped my memory; I do not think it would if I had heard it.

Q. Did you hear of the visits to the houses of colored men, and their fleeing to the woods in large numbers?—A. I heard something about that.

Q. Did you publish those facts in your paper as news?—A. I did not.

Q. You said nothing about it?—A. I did not.

Q. Did you attend the meeting after the murder of Mr. Matthews that was held the next day?—A. I attended a meeting that was held the next day.

Q. Where was it held?—A. In Hazlehurst, in the court-room.

Q. How many persons were present?—A. The court-room is quite a large room, and it was full. I could not estimate the number of persons.

Q. How many would it hold, five or six hundred?—A. I should think so.

Q. More?—A. I could not say.

Q. Were you chairman of that meeting?—A. Yes, sir; I was called to the chair.

Q. Did you vote for the resolutions?—A. I did not.

Q. Did you approve of them?—A. I did.

Q. Do you know who was the author of them?—A. I do not.

Q. Were you informed?—A. I was not.

Q. You have no information?—A. I have none whatever on the subject. I understood they were in George Dodds's handwriting. I will say that I did not want to preside; I thought that some one else had better do it; but it was insisted on that I should take the chair.

Q. Your refusal to preside was not because you disapproved of the meeting, but was on account of your modesty, thinking somebody else would do that duty better?—A. Yes, sir; exactly that.

Q. Have you not been informed that the author of those resolutions was the district attorney, Mr. Miller?—A. I never heard that until you asked the question of Mr. Dodds on the stand. Inasmuch as it was Mr. Dodds's handwriting I took it for granted that he wrote them.

Q. You have stated that this company of one hundred and fifty persons ——. A. I did not say anything about one hundred and fifty persons.

Q. I know; I say that—they signed their name, one hundred and fifty, and they have been estimated at that by witnesses. You say they were tax-payers, and as good citizens as to be found anywhere?—A. I say some of them were.

Q. What was the character of the company generally so far as you knew it?—A. There were a good many young men who were inclined to be wild, not steady at all, and who were thoughtless and wayward, and while they bore a good character they were a little too reckless, like all young men will be.

Q. Did they belong to good families generally?—A. Yes, sir; what I call so, good men.

Q. If you were to learn or to believe that those persons whom you describe, or any of them, had gone after midnight to the houses of colored people, threatened them with personal injury if they did not vote the Democratic ticket, fired guns about their houses to frighten them, would that change your opinion of their character?

The WITNESS. That they came from good families?

The CHAIRMAN. No, of their character.

The WITNESS. It would seem that, as I said just now, they were a little hot headed and wayward, but they still belonged to good families.

Q. Should you disapprove of that conduct yourself?

The WITNESS. Would I?

The CHAIRMAN. Yes.

The WITNESS. Well, that would depend on circumstances.

The CHAIRMAN. I will leave you there.

The WITNESS. All right, sir.

R. H. THOMPSON sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live at Brookhaven, Lincoln County, Mississippi.

Q. How long have you lived there?—A. Since January, 1871.

Q. What is your profession?—A. I am a practicing attorney.

Q. Are you well acquainted in the county of Copiah?—A. I was born and raised there, and lived there from the time I was born until 1870.

Q. Do you practice law there yet?—A. Occasionally.

Q. Do you know Mr. Hargrave, the sheriff of Copiah County?—A. Yes, sir; I was raised in the same country neighborhood with him, and went to school with him when we were boys.

Q. What sort of a man is he; what is his character for peace, quiet, and love of order?—A. He is a peaceable man and a man of good character; regarded as honest and upright in every particular so far as I know, and I know his character well.

Q. In every way a good citizen?—A. Yes, sir.

Q. Did you know Mr. J. P. Matthews?—A. Yes, sir.

Q. What was his character, you knew him well, as an orderly, peaceable man, or the reverse?—A. His character was peculiar. He had some traits of character which were calculated to make him popular, and he had other traits of character which were despicable. He was a man who was friendly and social, but he was rather a desperate man in his methods, particularly in matters connected with politics. He was a man of violent language. I remember a conversation with him which occurred probably three years ago, in which he recited to me that he had made a will and had provided in his will that a specific fund, or a considerable amount of money, I do not remember the amount, should be devoted to the purpose of employing assassins to kill whoever, if any one, should kill him, or something of that sort.

Q. Was he a man who generally went armed?—A. I cannot answer of my own knowledge.

Q. Did he have that reputation?—A. I think so. I do not know that I ever saw him armed, either, but that is an impression which I have.

Q. He was a man who was in the habit of using violent language and violently denouncing his opponents, was he not?—A. Yes, sir.

Q. Did you ever have a suit against him and his brother, T. E. Matthews?

The WITNESS. Myself, individually, bring suit against him?

Mr. JONAS. Yes; or as a lawyer?

The WITNESS. I had no suit myself. I remember, I think it was in 1871 or 1872, being employed in a civil suit against T. E. Matthews and J. P. Matthews. It was a suit for exemplary damages. The charge was that they had fraudulently packed some cotton, selling inferior cotton for good cotton. An issue of fact was made and tried by the jury, which issue was whether or not they had fraudulently packed the cotton in controversy, I think three bales. The testimony was taken, and it was decided for the plaintiff that they were guilty as charged in the declaration against them of fraudulently packing the cotton. I have no personal knowledge about the facts.

Q. To what extent does a grand-juror's oath of secrecy go under the laws of Mississippi?

The CHAIRMAN. In connection with the saving of time I would say that Mr. Sexton's statement of that matter was very clear and I have no reason to question it.

The WITNESS. I can only give my impression without having made any examination of the statutes or the decisions on that subject recently. They are sworn not to divulge what occurred before them, according to my remembrance, for a certain limited time—six months, I think. That has been construed by our courts not to apply so as to make them incompetent witnesses whenever it becomes material in the course of justice to determine what transpired before the jury, and I

think the legal proposition is announced in the phrase, that whenever the ends of justice require that it shall be disclosed then such a disclosure is not within the terms of the oath.

Mr. JONAS. You knew T. E. Matthews, you say?

The WITNESS. Yes, sir.

Q. Do you know anything about his being indicted in your county for any offense within the last few years?—A. I think T. E. Matthews and Leon Matthews were indicted there for assault and battery at one time.

Q. Assault and battery with intent to kill?—A. No, sir; it was a simple assault and battery. There was a charge against T. E. Matthews alone, that he assaulted with intent to kill some time before that.

Q. Assault with intent to kill a negro woman?—A. Yes, sir.

Q. Was he indicted?—A. No, sir; I think the case was investigated by a committing magistrate, and he was committed over to await the action of the grand jury. I have no further knowledge of what became of the case.

Q. Was that in your county or in Copiah County?—A. It was in Lincoln County.

Q. Did you know the negro woman that he assaulted?—A. Not personally, but I know that there is such a negro woman.

Q. Do you know anything in regard to the nature of the wounds inflicted?—A. I can only state what I heard; general rumors at the time.

Q. What was the general rumor?—A. The general rumor was that T. E. Matthews was on a drunken spree in a negro whore-house there, and shot a negro woman in the mouth.

By the CHAIRMAN:

Q. Were you a party yourself to this suit about the packing of the cotton? I did not hear a little of your testimony, and I did not understand whether you were yourself antagonized or not.—A. No, sir; I was simply attorney in the case.

Q. Was it not the evidence that that packing was not done at Mr. Matthews's gin, but was done by a man named Fore?—A. My recollection is this, that there was some testimony, especially that introduced by the defendants, which tended to establish the fact embodied in your question; but, I think, the testimony for the plaintiff was to the contrary, and that the issue was determined in respect to that matter in favor of the plaintiff. I will say this, however, that there was no pretense that J. P. Matthews was the active agent in the false packing of this cotton. His liability was placed on the ground——

Q. On the implied warranty of the seller?—A. No, sir; I think not, for the reason, I remember, it was a suit for exemplary damages. His liability was predicated on the acts of his agents and employés.

Q. But suppose the cotton had been packed at a public gin, would the seller still be liable in damages, liable to make good the damage?—A. Certainly.

Q. If you had sold a bale, as a bale of cotton, which contained rock or sand, the seller would be liable for it whether he was responsible for it or not?—A. Yes, sir.

Q. Do you not remember that he, Mr. Matthews, claimed that it was done by Mr. Fore at a public gin; that it was packed there?—A. I think that was the claim for the defendants.

Q. That was defendants' claim?—A. Yes, sir; that was the defendants' claim.

W. W. GOWIN sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live at Hazlehurst, Copiah County, Mississippi.

Q. Have you lived there several years?—A. I have lived there since the middle of December, 1880.

Q. Were you a commissioner of election in 1881 and 1883?—A. Yes, sir; I served in that capacity in 1881, and also in 1883.

Q. The commissioners of election are a board, are they not?—A. Yes, sir; there are three members to each county, who compose what is known as the board of election commissioners for each county of the State.

Q. Do you canvass the votes after they are cast?—A. Yes, sir.

Q. Do you appoint also the inspectors of election through the county?—A. Yes, sir; three inspectors and a marshal at each precinct.

Q. While you were on the board of commissioners, did the question come before the board as to the right of certain convicts to vote?—A. Yes, sir; a question of that kind was raised before the board in 1881, just before the election.

Q. Did the board hear and decide that question?—A. Yes, sir. There was some dispute between the two parties, both parties making some complaint to the board, some claiming that convicts had a right to vote, and others that they had no right, so that the board agreed to hear each side, and the time was appointed during the session of the board, and we did hear and made a decision as a board on that question.

Q. Did J. P. Matthews, or anybody else, come before the board and attempt to intimidate the board or coerce their decision in any way?—A. Yes, sir; Mr. J. P. Matthews came before the board several times, and several Republicans or Independents, and they made a great deal of noise and fuss about it, pretending that they would do so and so, or apparently so—that kind of a general intimidation.

Q. Did they offer any threats?—A. I do not remember that they did, in my hearing, any more than this, that they were going to have their rights or create trouble, &c.—general threats.

Q. What decision did you make about convicts?—A. We decided this: We have a contractor there to take care of convicts convicted of minor offenses, parties who are not sent away to the state penitentiary, and we decided that those who did not reside in the immediate voting precinct, who with the contractor, would not be allowed to vote at that precinct, for the reason that that matter is settled by the statute, in my opinion, that a party shall reside in the precinct in which he votes. There are 21 precincts in the county; the supervisors or poll districts are divided up into precincts.

Q. Who was the contractor for these convicts?—A. J. M. Matthews, commonly known as Gall Matthews in Copiah County.

Q. Did he try to register and vote these people?—A. He had registered them all, and their names were stricken from the roll by the order of the board of commissioners of election, except one or two that resided in the precinct who had been sent there as convicts.

Q. Have you known J. P. Matthews well since you have been in the county?—A. Yes, sir; since I have been there I have known him; since December, 1880, I have known him.

Q. Was he a violent or peaceable man?—A. In politics he was a violent man.

Q. Have you heard him make threats or use hard or violent language against his political opponents or against yourself?—A. I have.

Q. On one or many occasions?—A. I have heard it rather often during each of the two canvasses. During my residence in Copiah County on every occasion that a political question was under discussion I have heard him use very harsh, hard language toward any and all of his political opponents.

Q. Had he the reputation of being a fighting man, if necessary?—A. Yes, sir; he was understood, according to my understanding, to be a man who would fight.

Q. A man supposed to carry arms?—A. I supposed so from the way he ordinarily talked. A man would not talk that way who was not at all prepared to carry out his assertions.

Q. You think a man would not talk as he did unless he was prepared to fight?—A. That was the impression left on me.

Q. Have you ever been threatened by any of his brothers?—A. Yes, sir.

Q. Mention on what occasion, and by whom?—A. I was threatened by one of his brothers, Mr. Ras Matthews, or T. E., I believe, are the initials, directly after the election in 1881. It was on the occasion of a city election. That was some two or three weeks after the county election in that year, and then again just before the last election in 1883.

Q. Were you a commissioner at that time?—A. Yes, sir; I had been appointed as a commissioner.

Q. What was the nature of his threats; what did he say or do?—A. He walked into a store-house where I was and directed his remarks to me. There were only two or three parties present. He simply remarked that he was in favor of taking double-barreled shot-guns and shooting all these God-damned counters, or commissioners of election, I understood him to mean that. I replied and answered him in the idea that he was addressing me, which I knew he was; he directed his remarks to me——

Q. Did he say he meant his remarks for you?—A. After I made a reply to him he did.

Q. You counted and returned the vote in 1881 and 1883. Which party had the majority in Copiah County between 1881 and 1883?—A. The Democratic party had a considerable majority in the election of 1883, something a rise of 2,000.

Q. In 1881, how was it?—A. It was closer at that time. There was one of the county officers, as well as I remember, the tax assessor, who was elected on the Independent ticket. The remainder of the county ticket were Democrats, as well as I recollect.

By Mr. SAULSBURY:

Q. How did the poll of 1883 throughout the county compare with the vote of 1881? Which was the larger and what was the difference, if any?—A. I have not examined to see exactly as to that. But there is something of a smaller vote in 1883, as a sum total of all the votes, than in 1881; I think something like six or eight hundred smaller; may be not so much; may be between five and eight hundred.

By the CHAIRMAN:

Q. In 1881, was not that the year when a box was thrown out and there was a talk about a mule's eating it up?—A. Yes, sir. The box was thrown out by the commissioners because there was no return made of it as the law required.

Q. That box would have changed the result, would it not?—A. With some it would, with others it would not.

Q. Were not the tally-sheets preserved of that box in 1881?—A. Not

to my knowledge; there was no tally-sheet ever made of it. There was a partial tally-sheet.

Q. Did not the inspector put it in his pocket when the lights were blown out and produce it afterwards, the tally-sheet?—A. No, sir; I reckon not.

Q. Was it not the claim of this Mr. Matthews, who had the talk about shooting the inspectors, that the Independent ticket or some of them, the ticket on the side on which he was, had been counted out?—A. He did not say so at the time. That was the general complaint there, though.

Q. Did they charge you with having anything to do with it?—A. Oh, yes, sir; they charged all the commissioners, myself among the balance.

Q. And he said he thought it would be a good plan to shoot some of them, or something to that effect?—A. He said he was in favor of taking double-barreled shot-guns and shooting the God-damned counters.

Q. Was not one of those Matthewses, one of these brothers, a drinking man?—A. I have seen this same one I speak of tight.

Q. He had some habits of drinking, hadn't he?—A. They all take a drink occasionally. They are not drinkers at all, according to my idea.

Q. Had you seen this one tight?—A. Yes, sir; I had a little so.

Q. Had he been drinking at the time he had this talk with you?—A. I do not think he had at the time.

Q. When was it?—A. It was in the evening. I will say that afterwards I saw him and he seemed to be tight.

Q. The same evening?—A. Yes, sir.

By Mr. CAMERON:

Q. Was it claimed that you had been guilty of fraud in counting the vote of 1881?—A. Yes, sir.

Q. Was your case presented to the grand jury?—A. I have understood so. I think it was presented there about four different terms, every term from that time up until the time expired by law. Two years is the time of limitation for the investigation of that crime.

Q. You were not indicted, however?—A. No, sir.

Q. How are the commissioners of election appointed?—A. They are appointed by a State board of commissioners composed of the governor and lieutenant-governor, and perhaps the secretary of state.

Q. Are the governor, lieutenant-governor, and secretary of state of Mississippi Democrats, and have they been since 1881?—A. Yes, sir; elected on that ticket. I suppose they are Democrats.

Q. And prior to that time, from 1875, were they not Democrats?—A. That is my understanding. Democrats since 1875.

Q. Who were the commissioners of election for Copiah County in 1881 besides yourself?—A. T. J. Millsaps and Martin Peyton.

Q. How many of the commissioners were Republicans and how many Democrats?—A. Two Democrats and one Republican.

Q. Is it a very unusual thing for white men to carry pistols in Mississippi, according to your understanding of it?—A. Yes, sir; it is unusual.

Q. Then, you swear, do you, that very few white men in Mississippi do carry pistols?—A. No, sir; not exactly in that way. I say it has been, in response to your question as I understood it, until this general trouble in Copiah County; but since that time and along about that time, I think it was very common. Before that it was very uncommon.

Q. You said Mr. Matthews used very violent language in speaking of his political opponents?—A. Yes, sir.

Q. What did you ever hear him say in regard to that?—A. I have heard him say all manner of hard things in the way of accusing them.

Q. That is too general.—A. Well, accusing them of dishonesty, and thievery, and lying.

Q. Do you not think a great many Republicans in Mississippi think the Democrats are dishonest?—A. I do not think a great many of them do.

Q. You think they are of the opinion that the Democrats are entirely honest, do you?—A. No, sir; I did not say that. Some Democrats are dishonest, I expect, and I reckon the Republicans think so.

Q. Then do you mean to say that J. P. Matthews did not think that the Democrats were dishonest?—A. I have thought that he did not really mean what he said as to their dishonesty and many charges that he would make against them in his political talk on the street or even on the stump.

Q. What other violent expressions did you hear him use?—A. I do not remember that I ever heard him make use of anything other than what I have enumerated.

By Mr. FRYE:

Q. I understood you to say that the last election before the last November election was very close in Copiah County?—A. As to some offices it was.

Q. As between the two parties it was very close, was it not?—A. There was no great difference. I remember, my mind was called to the fact by some witness on the stand yesterday, or some report that I read, that the Independent candidate for governor beat the Democratic candidate for governor in that county 12 votes.

Q. Is it not the fact that the lead of the Independent candidate would have been very much more, and the Independent ticket would have been very generally elected, if one precinct box had not been thrown out?—A. No, sir. According to what I understood (the only thing I could go by was the way our box had gone before, and before my residence in the county and after I went there in 1880, and served in 1881 as commissioner) it would have made a difference only to have increased the Independent candidate for governor's vote, and it would have made a difference in one of the Independent representatives; he would have been elected, and that is all.

Q. That precinct that was thrown out was regarded as a Republican precinct, was it not?—A. Yes, sir.

Q. Ordinarily throwing quite a majority Republican?—A. It was a small precinct; it made a small difference, but there was a majority of about two-thirds.

Q. Ordinarily about a two-thirds majority?—A. Yes, sir.

Q. And when you say the election of 1881 was close, you mean close with that thrown out, of course?—A. Yes, sir; but no difference would have been made except in the two offices I speak of, that is the governor's office and that of one of the representatives. We have two representatives from our county.

By Mr. CAMERON:

Q. Do you think the population of the county has decreased since 1881?—A. I do not think it has, being governed by the poll-books or registration books.

Q. How many of the Republican or Independent candidates for supervisors were elected in 1881?—A. Four.

Q. How many supervisors are elected in the county?—A. Five.

Q. Then the Republicans elected four and the Democrats one?—A. They did not claim to be Republicans; they were Independents except one, who was a Republican. There was one Republican, three Independents, and one Democrat.

T. J. HARGRAVE sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Hazlehurst.

Q. Are you the sheriff for that county?—A. Yes, sir.

Q. When were you first elected sheriff?—A. I was first elected in November, 1881.

Q. And re-elected at the last election?—A. Yes, sir.

Q. What is the term of office?—A. Two years.

Q. You were re-elected in 1883?—A. Yes, sir.

Q. As sheriff of the county, I suppose you have a very general acquaintance with the people of the county?—A. Yes, sir; I think I have.

Q. What is your estimate of the character of the white people of that county as peaceable and law-abiding citizens?—A. To take them as a whole, I think they will compare favorably with the people of any other county in the State.

Q. It has been stated in the course of this investigation, that certain warrants for the arrest of parties, were issued by the mayor and placed in your hands for the arrest of certain persons charged upon the affidavits by one of the Messrs. Matthews and somebody else. I want to know of you, whether those warrants reached your hand, and what was done with them?—A. There was a warrant placed in my hands by the mayor of Hazlehurst, for the arrest of some twenty-five men on Saturday before the election. I suppose it was about 9 o'clock at night. On Sunday morning, there were several of the parties against whom the warrants were issued, who came into Hazlehurst, and I arrested them, and on Monday morning I gave the warrant to my deputy and started him to beat 3, to arrest the remainder of the parties named in the warrant, and he executed it on all except probably three, I do not know how many, as they were coming into town on Monday. He just took their personal recognizance to appear on Wednesday.

By Mr. FRYE:

Q. Let them go on their personal recognizance, you say?—A. Yes, sir.

By Mr. SAULSBURY:

Q. Is that the rule in case of misdemeanors?—A. It is, sometimes.

Q. Were these parties in Hazlehurst?—A. They came to me in Hazlehurst and said they had been arrested and demanded a trial. I told them that Mr. Williamson was the man to try them, if at all. I do not know whether they went to him or not, but they said they were not guilty of any misdemeanor or disturbance and demanded a hearing that day.

Q. Did Mr. Williamson, as mayor of that city, inform you afterwards that he could not try those parties for the want of jurisdiction, the offenses with which they were charged being in a beat outside of which he had jurisdiction?—A. Yes, sir; I was informed of that fact afterwards by Mr. Williamson. He did not make the warrants returnable to any other justice of the peace, but to his court.

Q. It has been alleged somewhere, or at least I have that impression from the testimony in this case, that you failed to execute your office in

causing parties to be summoned before the mayor. Is that true or not true?—A. It is not true. I say it is not true so far as the arrest is concerned, but I do not say that it is not true so far as their appearing before the mayor is concerned. I do not know whether they appeared before him or not. But the warrant was executed with the exception, probably, of three names. I think some of the men were 20 or 25 miles from Hazlehurst, and they were not arrested that day, and Mr. Williamson told me afterwards I need not bother any further with it and just let it go.

Q. Did he place that on the ground that he had not jurisdiction to try the case?—A. Yes, sir; I think he did.

Q. Some testimony has been given here in reference to a certain party of men coming into Hazlehurst on Monday preceding the election. Did you go out to meet those people and advise them to be quiet and peaceable?—A. I did.

Q. Did you not exert your office and do your duty in your office as sheriff to preserve the public peace in Copiah County, not only on that day, but on all other occasions, so far as you could?—A. Yes, sir; I did.

By Mr. FRYE:

Q. How long have you been sheriff?—A. I have been sheriff three years, and from the first of January up to date.

Q, You understand the duties of the office, then?—A. I do not know that I understand all the duties of the office.

Q. Do you know how to make arrests?—A. I do.

Q. Do you know your power under the law of Mississippi to call on a *posse comitatus* to help you?—A. Yes, sir.

Q. Do you know your duty when there is a disturbance of the public peace?—A. I think I do.

Q. What is it?—A. It is to restore peace.

Q. To put down any mob, if there is a mob?—A. Yes, sir.

Q. And protect the lives of citizens and their property?—A. Yes, sir.

Q. You knew for ten days before that election that there were mounted and armed men going through the country portion of Copiah County?—A. I did not.

Q. You had not heard of it?—A. I had not.

Q. How soon did you hear of it?—A. I heard it on Saturday before the election on Tuesday.

Q. Did you not hear that Andy Fortner had been whipped?—A. I do not think I did.

Q. Did you not hear that Wallis had been killed?—A. Yes, sir.

Q. And that his wife had been shot?—A. Yes, sir.

Q. That Frank Hayes had been shot?—A. No, sir.

Q. That negroes' houses had been fired into?—A. No, sir.

Q. That they had been firing guns around in beat 3?—A. No, sir.

Q. All the witnesses nearly have testified that these rumors were current there in Hazlehurst, but your ears were closed.—A. My recollection is I did not hear anything of it until Saturday before the election.

Q. Who first told you in relation to it on Saturday?—A. Mr. Matthews.

Q. Did he come to you for protection?—A. He came to me with a list of names of seventy-five men.

Q. As the result of that interview a warrant was made out against twenty-five men?—A. Yes, sir; about that number.

Q. What was the allegation in it?—A. It was for disturbance of the peace.

Q. By armed men?—A. I do not think it stated. I did not read the affidavit.

Q. Were you informed that they were armed men and mounted?—A. I do not remember whether I was or not.

Q. Were you informed then that they had been committing crimes against persons and property in the county?—A. Mr. Matthews told me so.

Q. Were you informed they had been riding out through the country portions of the county committing crimes?—A. He said there was a mob down in beat 3, riding around and creating a disturbance.

Q. Did he say they were shooting or beating?—A. No, sir; I do not remember that he did.

Q. You received the warrant. What was your duty as sheriff to do?—A. To arrest the parties.

Q. Did you arrest them?—A. I did, through my deputies.

Q. How many did you arrest personally?—A. I think I arrested three on Sunday morning.

Q. Were they armed?—A. I do not know. If they were they had their arms concealed.

Q. Where did you find them?—A. They were in Hazlehurst.

Q. What were they doing?—A. They were not doing anything.

Q. Were they in their homes?—A. No, sir.

Q. Where were they?—A. On the street.

Q. What doing on the street?—A. I did not ask them what they were doing.

Q. Did you ask them what they had been doing?—A. No, sir.

Q. Did you ask them if they had been riding around raiding?—A. I do not remember that I did.

Q. What did you do with them after you arrested them?—A. I took their personal recognizance for them to appear.

Q. In writing?—A. No, sir; I do not think I did.

Q. Let me understand you exactly. A charge has been made that certain men were armed and were raiding through the country, firing guns, disturbing the peace, and that there was danger to the citizens of their lives and property; and you arrested three of them, and you did not inquire at all what they had been doing, but you immediately took from each one a personal recognizance and let him go back.—A. The warrant stated what they had been doing.

Q. Yes; the warrant stated what they had been doing, but you let them go back about their business?—A. I do not know where they went.

Q. You did not inquire? You permitted them to go off on the same business again?—A. I do not know whether they went off on the same business again.

Q. Did you ask them if they were going back on the same business?—A. I did not.

Q. Did you tell them that they must not?—A. I do not think I did; I do not remember.

Q. And yet that complaint had been made in your presence, and the warrant itself contained the charges against them, and you allowed those three men to go back and engage in the same business. Do you think that is doing your duty? In what sum did you take recognizances from each one of them?—A. For the sum of $100.

Q. Who were those three men?—A. I think it was Mr. Wolfe, the

chancery clerk of our county, Mr. Purser, Mr. Morrison, I think, or Mr. Bailey.

Q. Is Mr. Morrison or Mr. Bailey a lawyer?—A. Yes, sir; they are both lawyers.

Q. And one was the chancery clerk?—A. Yes, sir.

Q. Now about the other twenty-two; there are three of them accounted for.—A. I did not say there were twenty-five; I said about that number. I do not remember the exact number.

Q. What did you do with the other twenty-two?—A. I did not do anything with them. My deputy arrested all the others that were arrested. I think he arrested all but two or three or four probably.

Q. Did he bring them before you?—A. No, sir.

Q. Where did he take them?—A. They were coming to Hazlehurst, and most of them were arrested.

Q. Were they coming mounted on horseback?—A. Yes, sir.

Q. They continued in the ranks?—A. I do not know.

Q. Do you not know they came into Hazlehurst in that company of men mounted?—A. Some of them.

Q. And you were there and saw them there?—A. Yes, sir.

Q. Did you inquire whether they were under arrest, while their guns were on their shoulders and they were on horseback?—A. I did not.

Q. You did not ask your deputy if he had served the warrants?—A. I did not see my deputy. I went out to try to keep them from doing mischief in Hazlehurst. I was requested by Mr. Matthews, through his friend Dr. Pitts, to protect him that day. I selected Mr. Cook and Mr. Higdon, two good citizens of that town, and went out and met those gentlemen about two miles from Hazlehurst, and told them I had come out there at the request of Mr. Matthews and asked them not to disturb him or any one else in Hazlehurst that day, and they promised they would not.

Q. So that you, the sheriff of the county, when you had placed in the hands of your deputy a warrant to arrest at least twenty of the men in that armed mob on horseback with guns, did not even inquire whether the arrests had been made, though you saw the men against whom the warrants were, on their horses with their guns, but, on the contrary, turned around and begged of them not to go near Mr. Matthews's house?—A. No, sir; I think some of the men told me when I met them that they had been arrested that morning.

Q. And released on a recognizance?—A. Yes, sir.

Q. And that is the way they keep the peace down there. A sheriff knows there is an armed mob scouring the country, and they deliberately ride into the town and make a demonstration so offensive in its appearance that that sheriff takes two or three prominent Democrats and goes out and begs of them not to disturb Mr. Matthews?—A. It was done at his request.

Q. And begs of that mob not to commit any harm on Mr. Matthews and his family, though the deputy, under the law, had already arrested these same mounted villains and had let them go on their own recognizance. That is the law in Mississippi, is it?—A. Yes, sir; I suppose so.

Q. And having arrested, through this deputy, twenty-five mounted armed men, who by that time you had learned had been going about this work out in the county, you allowed them still to remain in Hazlehurst with their guns, these mounted men, and to march around there?—A. Yes, sir.

Q. And to send a resolution to Mr. Matthews resolving that he must not vote?—A. I did not know that they were sending resolutions to him.

Q. You heard of it?—A. I heard of it afterwards. I heard of it on the morning of the 6th of November; not until then. That was on Tuesday, the morning of the election.

Q. These men had been around there Monday all day?—A. They were there a portion of the day.

Q. There was a good deal of excitement, was there not?—A. Yes, sir; a good deal of excitement.

Q. Is it the law in Mississippi that in breaking up a mob who are disturbing the peace you may arrest the men and admit them to straw bail or personal recognizance—the sheriff himself may; is that the law of Mississippi?—A. I think that the sheriff has a right when he makes an arrest to take their personal recognizance if he thinks it is good; if he thinks they will come up to court and be tried.

Q. And to allow them to repeat these crimes they had been guilty of? Do you think that is proper? Now, Mr. Witness, did you not send out to assist in the arrest of these others some of these very men whom you had arrested and permitted to go on their recognizance?—A. No, sir.

Q. Not at all?—A. I do not think I did.

Q. Did not any of them go out to help your deputies?—A. No, sir.

Q. The men against whom the warrants were, did you not send them out as assistants to arrest some of the very men against whom the warrants had been issued?—A. I did not deputize any one to help do it.

Q. Did not J. W. Bailey, on Sunday morning, in your presence, one of the men whose name was in the warrant, say that he was going out to help arrest those fellows?—A. I do not remember whether he did or not.

Q. Did you call upon any of the white Democrats to assist you in making the arrests?—A. No, sir.

Q. You could make the arrests without any difficulty, then, could you not?—A. Yes, sir.

Q. And your deputies could, could they not?—A. We had no difficulty in making the arrests.

Q. Not the least?—A. No, sir; we had no difficulty.

Q. I suppose all you had to say to the fellow on horseback was, "I arrest you; I take your recognizance for a hundred dollars to appear for trial?"—A. Yes, sir.

Q. And let them go on about that same business, doing the shooting?—A. They were not doing anything at that time.

Q. Had you not heard that they had been doing it?—A. I heard on Saturday evening that they had been.

Q. You knew there had been complaint before the grand jury?—A. No, sir; I did not know it.

Q. If the arrest of men in Mississippi who are rioters, who are beating people, burning houses, killing some and shooting others, simply means that you shall say to a man, "I arrest you and take your recognizance in the sum of $100 to appear somewhere," if that is all it means, why on earth did you tell Print Matthews that you would deputize him to go and arrest these men that night?—A. That was before that, on Saturday night.

Q. What did you tell him on Saturday night?—A. I will explain that matter. Mr. Matthews came to me in the first place with a long list of names, about seventy-five names, I suppose——

Q. Of men who were in that crowd?—A. No, sir; I do not think they were.

Q. He claimed they were, did he not?—A. No, sir; he did not. He came to me and wanted me to appoint all as deputy sheriffs. I told

Mr. Matthews that I did not know whether I had that authority or not, and that I would go and consult my attorney, and if he said I had the right to do it, and the power to do it, that I would appoint them. We went up town and consulted several lawyers, and they advised me to ask Mr. Matthews to go and make his affidavits against the parties who were disturbing the peace, and to place the warrants in my hands, and I would execute them. I did so. Mr. Matthews did not seem to be satisfied with that, and he remarked at the corner of the bank building in our town that he could take twenty men and go down there and stop it, and he would do it if necessary. A gentleman named Barlow was with him. The affidavit was made some time after night; the warrant was placed in my hand about 9 o'clock, and I tried to get several men to go. I was sick at the time myself. I had just got out of bed after a spell of sickness, and I told Mr. Matthews I could not go. I tried to get several men to go, but could not find any man who would start out 20 or 25 miles at that time of night to where these parties were said to have been, and at the suggestion of Mr. Meade, who heard Mr. Matthews make the remark that he, Mr. Matthews, could take twenty men and go and arrest all these men—he said, suppose you go and deputize Print or Barlow together. I went over and saw Mr. Matthews and I said to him, "If you think you can go down there and stop this raiding I am ready to deputize you to do it." "I have heard all about that," he said "and it is a plot made up between you and Joe Meade to have me murdered."

Q. Do you not think he had reason to think so?—A. I do not know; but it was not so. I do not know whether he had any reason to think so.

Q. But it seems at that time you did know there was a band of marauding men around in that country?—A. I heard it on Saturday evening.

Q. And you were called upon to go down there and stop their work?—A. Yes, sir.

Q. And you did not call on any of your white Democrats as a *posse comitatus* to go down there with you?—A. I called on a good many of them, but I could not get a man to go.

Q. Why did they not want to go?—A. It was late at night and they did not know where they would find them. Beat 3 covers a great deal of territory.

Q. Did you try it again Sunday morning?—A. No, sir; I did not try to get any one to go Sunday, but I did on Monday morning.

Q. Did you instruct him to take a recognizance for them?—A. Yes, sir; he could not have taken them all and kept them together.

Q. But did you not have white men enough in Copiah County to do it? The evidence is that nine out of ten of the white Democrats were opposed to this mob and its proceedings. Did you not have power under the laws of Mississippi to order these men to assist you?—A. Yes, sir.

Q. Why did you not do it?—A. On Monday most of these men came into Hazlehurst and wanted a trial, and the mayor refused to try them. That is the way I explained it.

Q. That is not a satisfactory explanation at all. On Saturday night they were out marauding and you were informed of the fact, and you tried to get men to go and arrest them, but you could not, and you left them out there Saturday night and all day Sunday with these defenseless people as their prey, and yet, in Hazlehurst alone, there were hundreds of white Democrats who had arms, and you could have summoned

them as a *posse comitatus*, and you could have gone down and stopped them, and you did not do it?—A. No, sir.

Q. All, then, that you did do during the ten days preceding the election, and on election day, to keep the peace in the county of Copiah, was to serve one warrant in which there were twenty or twenty-five names, and the service of that was rendered absolutely nugatory, so far as the work was concerned, by your immediately releasing the men on a recognizance of $100. Is not that the whole story?—A. Yes, sir; that is about it.

Q. Have you been re-elected sheriff?—A. Yes, sir; I was re-elected at this last election.

Q. As a candidate of the Democratic party?—A. Yes, sir.

Q. And you were a candidate when this bulldozing was going on?—A. If any went on, I was.

Q. Do you not think some bulldozing did go on?—A. I would not be surprised if it did.

Q. And you were the candidate and got the benefit of the bulldozing, did you not?—A. I do not know whether I did or not. I was re-elected.

Q. If the colored people were frightened away from the polls you got the benefit of the bulldozing, did you not?—A. I do not know; a great many colored men said they expected to vote for me.

Q. Do you suppose this crowd frightened away the colored men who intended to vote for you?—A. I do not know that they did.

Q. Then do you not think you got the benefit of the bulldozing in that county. Do you not think your vote was increased by reason of all this business that has been testified to, in that county?—A. That may have been; I cannot tell.

Q. Do you not think it elected you?—A. No, sir; I do not.

Q. Do you think you would have been elected if there had been no bulldozing?—A. Yes, sir.

Q. Do you think your party had a majority?—A. I do.

Q. Who was the counsel you consulted about this warrant business?—A. Captain Harris, of Hazlehurst; I may have consulted other attorneys, but I do not remember now.

Q. Did you not consult Mr. Dodds?—A. I do not remember.

Q. Did you not consult Mr. Meade, the chairman of the Democratic committee?—A. I may have done so.

Q. But did you not?—A. I say I may have; I do not remember whether I did or not.

Q. Did not Mr. Burnet say to you, "Captain Hargrave, for God's sake, when these people are appealing for protection, are you going to sit here and let them be abused in this way?"—A. I do not remember whether he did or not.

Q. Did he not say anything to that effect?—A. I do not remember of his saying it.

Q. On Subat's corner?—A. I do not remember it at all.

Q. Did he appeal to you?—A. He may have said that; I do not remember whether he did or not.

Q. In your opinion did not the chairman of the Democratic committee, Mr. Meade, and the Democratic executive committee approve of this marauding expedition of mounted men down through the country portions of the county?—A. I do not think they did.

Q. Did you not, after consultation with Mr. Meade, admit these men to bail on a personal recognizance?—A. I did not. I did not consult Mr. Meade in regard to it.

Q. You did consult him, did you not?—A. I say I may have consulted him on Saturday night, but I do not remember whether I did or not. I consulted Captain Harris, I remember.

Q. Were not some of the men arrested on Saturday night?—A. All that were arrested were arrested after Saturday night.

Q. That took place after your consultation with Mr. Meade?—A. Yes, sir.

Q. Were all these men, after your consultation with Mr. Meade, admitted to bail on their own personal recognizances?—A. Yes, sir.

Q. They provided right off to continue this bulldozing business?—A. I do not know that they did.

Q. You heard that they did?—A. No, sir; I did not hear it.

Q. You did not hear that they did Sunday and Sunday night, and Monday and Monday night? I say, did you not hear that this crowd of men which you saw yourself, that crowd of armed men, continued this business Sunday and Sunday night and Monday and Monday night?—A. I never heard anything particularly about it until Monday, I do not think.

Q. Monday you heard they had been up to the business, did you not?—A. Yes, sir; I heard it.

Q. You knew that Wheeler killed Mr. Matthews?—A. No, sir; I did not, and I do not know it yet; I have no personal knowledge; I have every reason to believe that he did it.

Q. Did he not surrender himself to you?—A. Yes, sir.

Q. Did he not tell you that he had killed him?—A. Yes, sir.

Q. Did you not believe him when he said so?—A. Yes, sir; I believed him; I believed that he did it; but as to knowing it of my own personal knowledge I do not know it.

Q. What did he tell you when he surrendered?—A. Under the excitement I do not remember but little that was said. I kept him on the corner, at the bank, for half an hour or an hour, and some gentlemen they made an affidavit against him and he was carried in before the justice of the peace there and allowed to give bail.

Q. What was that affidavit?—A. I do not remember; I do not think I ever read it.

Q. Was it not for, with malice prepense and with a deadly weapon, killing Print Matthews?—A. I say I do not think I read the affidavit.

Q. Did you understand that the charge was for murder?—A. I understood that the charge was for killing Mr. Matthews; I do not know whether it was murder, manslaughter, or what.

Q. And he was admitted to bail on five thousand dollars bonds?—A. I believe that was the amount of the bail.

Q. And subsequently elected marshal?—A. No, sir; I think he was appointed marshal of the town by the mayor and board of aldermen.

Q. Did you take Wheeler's gun away from him?—A. No, sir; he had it when he came up, and said he wanted it. He said, "I do not know but what I will be attacked, and I want to keep my gun."

Q. And you let him keep the gun?—A. Yes, sir.

Q. You are the sheriff, and a man comes up and tells you that he has committed murder; in other words, that he has killed a man, and he has a gun, and he says to you as sheriff, "Here, I want to keep my gun; somebody may attack me, and I want to be able to kill another one"; and you let him keep his gun, loaded as you supposed—you let him keep it?—A. Yes, sir; under the excitement and all, I allowed him to keep his gun.

Q. And yet the Democrats of Copiah County re-elected you at that same election?—A. Yes, sir.

By the CHAIRMAN:

Q. Who was the magistrate that Wheeler was carried before?—A. His name was G. D. Lowe.

By Mr. FRYE:

Q. Is he a Democrat?—A. Yes, sir; I think so.

By Mr. CAMERON:

Q. Was the justice before whom Wheeler was taken a Democrat?—A. Yes, sir; I think so.

Q. Was he re-elected a justice at the last election?—A. Yes, sir.

Q. He was a candidate then at that time on the Democratic ticket, was he?—A. Yes, sir.

Q. Who did you see in company with Mr. Wheeler about the time that you arrested him?—A. I do not remember now who was with him. There was a great deal of excitement in town just at that time, and I do not remember.

Q. Was not Mr. Morrison in company with him at that time?—A. He may have been, but I do not remember who was with him.

Q. Can you name any person who was with him?—A. No, sir; I cannot.

Q. Was any person with him?—A. There were a good many passing up and down the street that morning, and it may be that some one was with him; but I say I do not remember that there was. I would not be positive that any one was.

Q. Where were you when he surrendered himself to you?—A. I was by the side of the bank building in town.

Q. How far from the place where Mr. Matthews had been killed?—A. I suppose 150 to 200 yards.

Q. How long after the killing occurred did he surrender himself to you?—A. I did not hear the report of the gun when Mr. Matthews was killed, but from the time I saw men running in the direction of where he was shot I suppose it was two or three minutes, probably five.

Q. Did you see Wheeler in company with Mr. Meade that day?—A. I do not think I did.

By Mr. SAULSBURY:

Q. I think there has been some undue pressure at least, or bulldozing of you as a witness, but I now want to recall you to the question of the performance of your duty. I understand you to say that warrants were issued on Saturday night, late at night, 9 o'clock at night; that they were placed in your hands, against twenty-five men, or about that number?—A. Yes, sir.

Q. Many or most of whom resided over 20 miles from the town of Hazlehurst. Did I understand you right?—A. Yes, sir.

Q. Did you try to procure the services of persons to execute those warrants that night, being unwell yourself?—A. I did.

Q. And you were unable to find persons who would accept of the service of special deputies at that late hour of the night?—A. Yes, sir.

Q. I understand you to say that on Sunday morning you went out and arrested certain parties that you found in Hazlehurst?—A. I did.

Q. Did those warrants charge any person with whippings, with murders, with burnings of houses, &c., or was it simply a warrant to arrest persons for violations of the law, disturbances of the peace?—A. Disturbance of the peace was the way the warrant read.

Q. Without a specification of the offenses which were alleged against them?—A. Yes, sir.

Q. I ask you whether, in the execution of your office as sheriff, you did not pursue the very same course with those warrants that you did upon similar warrants for a disturbance of the peace, against any person?—A. I did.

Q. Did I understand you to say that Monday you sent your deputy sheriff into beat 3 for the purpose of executing the warrants and making the arrests?—A. Yes, sir.

Q. Did I understand you to say that parties came and informed you that they had been arrested and were under recognizance, and demanded a trial?—A. Yes, sir.

Q. Then I ask you if you did not, in the discharge of your official duties, do every act, which, by common custom, is done in similar cases where parties are charged with a violation of the peace?—A. I think I did.

Q. You have heard a great deal about armed mobs; you have heard in this committee room, perhaps, if you have been here, that every assembly of persons with guns is designated as an armed mob. I ask you whether it has not frequently been the case, not only in the last canvass, but in other canvasses, that persons in Copiah County attending political meetings, some of them, sometimes would carry arms?—A. That is frequently the case.

Q. You were inquired of if you were elected by the people of Copiah County after the expiration of your office—if you had been elected the sheriff of the county at the last election, evidently implying in the question that was propounded to you that you were unworthy of the support of the people of any county for sheriff, because you did not do more than your duty in the execution of those warrants. I ask you again to state if you shirked any duty because of any political regard for the votes of the people of that county.—A. I never did.

Mr. SAULSBURY. I say, sir, as my opinion, that you did your whole duty, and any reflections upon your official character implied in the questions that were put, in my judgment, were uncalled for.

By the CHAIRMAN:

Q. Were those persons whom you arrested, who were in that company, so far as you knew them, persons of good character and standing in that county?—A. The most of them were.

Q. How did they compare with the average of the better class of people of that county?—A. I think they compare, a great many of them, favorably with the generality of people of that county.

Q. They were all Democrats, were they not, as far you know?—A. I believe they were.

By Mr. CAMERON:

Q. Mr. Saulsbury asked you if you had not done everything that by common custom you were required to do in the matter of the arrest of these persons charged with crime. I will ask you if your duties as sheriff are regulated by common custom or by the statutes of Mississippi?—A. By the statutes.

By Mr. SAULSBURY:

Q. There was no statute in Mississippi compelling you to take bodily possession of men who could give a recognizance for their appearance, and incarcerate them in the common jail of the county, was there?—A. No, sir.

By the CHAIRMAN:

Q. Did you record those recognizances?—A. No, sir; I did not.

Q. What do you mean by a personal recognizance?—A. It is to appear before the court on a certain day.

Q. A man's promising to appear?—A. Yes, sir.

Q. Supposing they had not appeared, you had not got any record had you?—A. No, sir; in the first place, I do not know that I had any legal right to arrest parties on the Sabbath; I do not think I have under our statute.

Q. You think your proceedings were somewhat affected by the fact that they were illegal?—A. I do not know; I am no lawyer.

Q. Did that enter your mind at that time?—A. No, sir; they were men I had every confidence in that they would come if they said they would come.

Q. You did not take any recognizances in writing?—A. No, sir.

Q. Nothing only what was verbally made to you?—A. No, sir; I just took their verbal recognizances.

Q. That is, you mean their verbal promise to come?—A. Yes, sir.

Q. What do you understand by a recognizance? Is that something which is taken before a magistrate or some other person. How are you authorized to take recognizances as sheriff?—A. I am authorized to take bonds.

Q. Are you authorized to take recognizances? A recognizance is an obligation of record, recorded by a magistrate or somebody else, who reduces it to writing in the presence of the party who gives it.—A. Of course I would not have any right to take that.

Q. Are you authorized to take the personal recognizance of a criminal, without surety, by your law?

Mr. SAULSBURY. These were not criminals.

The CHAIRMAN. I think they were, but I did not ask him that question.

The WITNESS. I do not think I am. Yes, I think I could take their bonds for their appearance without any surety.

The CHAIRMAN. Does not the law which gives you the right to take bonds or recognizances for the appearance of parties charged with crimes or offenses, require it to be done with sureties?—A. I do not know whether it does or not; I am inclined to think it does. But as I said before, in this case, I knew that all these parties would appear. I did not know whether it would be legal——

Q. You did not even make a legal arrest of them on Monday or at any time?—A. They were there ready to be tried.

Q. But you did not make any legal arrest of them, did you?—A. No, sir; I did not make any legal arrest of them.

By Mr. CAMERON:

Q. What return, if any, have you ever made on that warrant?—A. I never have made any return on it at all.

Q. What has become of it?—A. I have got it.

By the CHAIRMAN:

Q. Have you got it here?—A. No, sir; it is in Hazlehurst.

By Mr. CAMERON:

Q. Why did you not make a return upon it?—A. I went and saw the mayor in regard to the return, and I think Mr. Dodds, probably, or Mr. Meade, went with me; and he said just let the matter go; that he had no authority to try them, and let it go; and I never made any return.

I told him I had arrested most of the parties, and he said, "Just let it all go."

Q. Mr. Williamson testified that he was advised that, under the excited condition of affairs at that time, perhaps it would not be safe to try them. Were you present when any such advice as that was given to him?—A. I do not remember that I was.

Q. What was said when you had that interview with him?—A. I think I have stated all that was said. He said he did not have jurisdiction and that he would not try them, and I asked him what disposition must I make of the warrant, and he said it don't matter; to let the whole thing go; and he never has tried any of them.

Q. And you never have made any return on the warrant?—A. No, sir; I never have.

By the CHAIRMAN:

Q. Were you present at that meeting the day after the killing of Mr. Matthews?—A. I was not.

Q. You had nothing to do with it?—A. No, sir; I had nothing to do with it.

JAMES S. SEXTON sworn and examined.

By Mr. JONAS:

Question. You live in Hazlehurst?—Answer. Yes, sir.

Q. How long have you lived there?—A. I have lived there four years. I was raised in Copiah County.

Q. Are you a member of the bar?—A. Yes, sir; I have been practicing law there.

Q. Were you in Hazlehurst during all the last election campaign, or in Copiah County?—A. Yes, sir.

Q. And saw a good deal of what was going on?—A. Yes, sir.

Q. In the testimony of some witness it is stated about Mr. Joe Bailey—do you know him?—A. Yes, sir.

Q. He is a lawyer there?—A. Yes, sir.

Q. It was stated that he made an exceedingly violent, excitable, and inflammatory speech; did you hear that?—A. Yes, sir. I heard Mr. Bailey make two speeches. On Saturday night he had been down in beat 3. The appointment had been made, I think, by the executive committee. Mr. Bailey came in about 9 o'clock at night, immediately after this excitement on the streets in reference to these warrants for the men to be arrested. He came in and made a speech to the club that night, and I remember distinctly some of the remarks that he made, I think made in answer to questions asked him. There were some old men present, conservative citizens, and Mr. Bailey went on to tell about being in beat 3 electioneering, and I remember that he said (he rather addressed some of his remarks at that time to some of the older gentlemen present): "While we have been going around electioneering and all this, and making considerable demonstration, I assure you we have committed no crime, and done nothing that the older men and thinking people of the county could condemn." That was on Saturday night. I heard Mr. Bailey make that statement in reference to what they had done in beat 3. On the day after the killing I remember the speech made by Mr. Bailey, and I was very much astonished to hear the testimony of some one here yesterday in reference to it. Mr. Bailey made a speech to that excited crowd of men——

Q Was that the meeting that passed the resolutions?—A. Yes, sir. Some parts of his speech were very conservative indeed. I know he

went on to say, among other things, that we had had a considerable victory there, and in the time of victory we should show our magnanimity. Somebody said to you that Mr. Bailey jerked out his pistol. He did that, but in this connection, and I was astonished to find Mr. Bailey there with a pistol on him. He said, "They accuse us of being bulldozers and all that sort of thing, and," he says, "this is the kind of instruments they persuade our friends with down in beat 3," pulling out his pistol and speaking of the opposition; and the only demonstration made by Democrats was in response to just such appeals as that. I think that was uncalled for and unbecoming, because he is a man of intelligence, and I was surprised to see him jerk out his pistol, but he did it to make that explanation. So far as saying they were going to kill anybody is concerned, I heard that expression, "We will kill them out," and it came from a gentleman named Womack, who is one of the most intense men I ever saw in my life, and who was drinking at the time. I remember that expression. Somebody said that the crowd hollowed out, "We will kill them out." I know that it was Mr. Womack who said that.

Q. Do you know anything about these outrages which have been testified to; have you investigated any of those things?—A. I know that during the canvass in that county, during the session of the circuit court which met just immediately preceding the election, there was a man named Wallis killed and I remember there was a good deal of talk about it in the town. I remember distinctly that in every conversation regarding that killing there was never one word said that connected it with politics, or with any crowd, and I know the crowd they called the mob which went down into beat 3, did not go there until a number of days after Wallis had been killed, and I know it never had any political significance.

Q. Did any Independent or Republican charge it?—A. I do not think any Independent or Republican living ever thought, or thinks now, that that was the case.

The CHAIRMAN. I think that is going rather far.

The WITNESS. I heard the matter discussed constantly about the killing of Wallis there, and heard it denounced as an outrage, but I never heard any man say that it had any political connection whatever. I have heard it was connected with a lawsuit in which gentlemen there are interested. Then, about the burning of Daniel Crump's house, I have been astonished to see attempted exaggerations of these offenses. Some of them are bad enough as it is, without exaggeration. The burning out of Crump had no more political connection than a fire here in town would have to-night. Mr. Conn on the one side and myself and Mr. Miller on the other side were representing Daniel Crump in that lawsuit, which carried with it considerable feeling, and in which there was more interest taken than had been shown in a long time in a lawsuit in that county, and quite a number of witnesses had been examined, with a large record taken in the chancery court, consuming really half of this last summer. It was a heated contest between litigants there; and incident to that suit that was pending was another suit involving the question of title to some land on which this Crump lived that he had purchased from Mr. Little. Crump came to me after this burning occurred and told me just in so many words (whether it is true or not I am not prepared to state) that it was Aleck Little and Tom Norman who did it, Little being the man with whom he had the litigation, and Norman his brother-in-law and the trustee in the deed of trust we had attempted to keep from having enforced on his property; that

they were present in his yard shooting at him that night when he ran out and saw those men there. And I know as well as I live that that had no political connection.

Mr. JONAS. Did Crump believe it had any?—A. No, sir; he did not believe it. He consulted with me frequently. I took a list of the witnesses. They are in my office to-day, and the district attorney and I have talked about it, and about its being a great outrage that should be punished in that county.

Q. Has Crump consulted you about it?—A. Yes, sir; frequently. I think I was at Louisville or Cincinnati at the exposition when this occurred, and when I came home—no; it was later than that; but I was present when Crump came in to make out this affidavit. The first I knew of it he came to me to prosecute these men, and it is a charge, which if a man is convicted of, he has to suffer death. I asked him what was his ability to pay a fee. During this long contest he had not paid us a cent. I thought it was a considerable undertaking to prosecute men there for their lives, and I thought he had no means that he could pay a fee with, and I told him that the magistrate could only commit him, and I was satisfied that he would do his duty in that regard, or it would come up before the next meeting of the grand jury, who could investigate the case fully, and I was satisfied that Mr. Miller would do his full duty in the investigation of that case. I know Crump never said a word about its having political connection whatever. Now, about the case of Handy Fortner. No man I have ever heard mention it has ever spoken of it as being connected with politics in any manner whatever. These are three cases I remember.

Q. Was not Fortner engaged in litigation with the man he suspected of doing it?—A. Yes, sir; that is my understanding, from conversation I had with him about it.

Q. From all you have heard from the witnesses here, and all you know of your own knowledge, as a citizen of Copiah County engaged in this canvass, do you believe that these cases grew out of politics?—A. No, sir; I do not; in fact I have every evidence that they did not. These cases I have mentioned were not connected with politics in any way whatever.

Q. What is the general character of the people of Copiah County, especially the Democratic people of Copiah County?—A. It is just as good as it is anywhere. I have lived there until I am twenty-nine years of age, and I have never seen a difficulty in that county until this date that I remember just now. I believe the people there are as quiet and law-abiding as they are anywhere.

Q. Were you at the meeting after the election which passed the resolutions which have been introduced here about the killing of Mr. Matthews?—A. Yes, sir; I testified about that.

Q. Did you take any part in the passage of those resolutions?—A. Mr. Birdsong has testified to the part I took. I was very much opposed to the passage of the resolutions and tried to speak against them, but just about the time I was getting up in the audience there was an old gentleman of our county there, who has lived in the county a long time and represented the county in the legislature, got up to say something against it and I saw from the disposition of the crowd that I could not do anything.

Q. Were the resolutions passed in the midst of very intense excitement?—A. Yes, sir; I have never seen anything like it.

Q. Do you think they were the result of the cool judgment of even the people who passed them?—A. No, sir; I have no idea they were.

I saw demonstrations there by men whom I know in the ordinary walks of life are as quiet as anybody in the world. I saw them vote in a way I know they would not have voted under ordinary circumstances; and I know it resulted from the intense excitement growing out of the killing of Mr. Matthews, which was considered a very extraordinary affair, and there was a very extraordinary public feeling there at large.

Q. Do you think those resolutions express the sentiments of the people of Copiah County?—A. I know they do not; they do not express the feeling of those men who passed them there, under any ordinary circumstances. My experience with men is this: That when they are excited and stirred up, their fears aroused, and they are prejudiced to some extent, they will sometimes do things that in cooler moments they would not think of doing. I know a very large majority of the people of that county do not indorse those resolutions.

Q. What was the cause of the intense excitement that existed in Copiah County just immediately previous to the election?—A. There was just this about it. The people of that county had been ruined almost, a number of years ago, under a Republican administration there, which administration Mr. Matthews seemed to control. That was suppressed in 1875, and from that time until this last election, the Democrats have been in power there, in the main, and the government had been very good. In some instances officers have not done their duty. In one instance a Democrat defaulted there. Well, for several years prior to this last campaign, there had been a little falling off in the Democratic party of a certain element. For instance, there were quite a number of men who would come into the Democratic party and ask for office, and be constantly crying for office of some kind, and just as soon as they were disappointed they would desert it, and Mr. Matthews would pick up anybody of that kind. He had about 2,200 negro votes in his pocket, and he would pick up anybody objectionable to the Democratic party, and anybody disappointed in the Democratic party, and undertake, with the negro vote, to foist those objectionable Democrats on the white people of the county.

By the CHAIRMAN:

Q. You are speaking now of this particular campaign?—A. Yes, sir; of this particular campaign. And as evidence of it, this man Bridewell, who was candidate for the legislature, had, to my knowledge, been before several Democratic conventions begging for office, and the Democrats would never nominate him. Mr. Enochs and Mr. McNeil are of the same category, and Leon Matthews and Mr. Barlow were about the only men on the ticket who had not been chronic office-seekers of the Democratic party. When they were disappointed it seemed to be Mr. Matthews's disposition to make friends with them, and take this solid vote and elect them, and whenever these men went over to Mr. Matthews and to the negroes they would undertake the most objectionable methods of arraying the negroes against the white people in one sense; not in the sense that they must go to war with them, but they would appeal to their prejudices, and denounce the Democrats as being thieves and scoundrels who would swindle them. And the negroes are a peculiar people; they are ignorant, and they have considerable prejudice, and these men, by appealing to them simply to serve their own purposes, would stir up an excitement there and embitter the races just in that way, and it was all to serve their own ends. We had suffered there under the administration of the county officers. I made an examination of the books myself, and I know, according to the treasurer's report, when this last board of supervisors, who were elected as Inde-

pendents, went into office, there was some $13,000 cash in the treasury. And I know the last report, made by an Independent treasurer, showed there was only 79 cents in the common-school fund of that county, and the county was in debt at that time some $16,000. The people were outraged about that. While there had been some improvements made, the people felt it was altogether disproportionate to the way the funds of the county had been exhausted.

By Mr. SAULSBURY:

Q. Was this Independent ticket that was presented to them composed of the men of the character you have described entirely?—A. Yes, sir; it was. That is my deliberate judgment; I know the men personally.

Q. Did you see this so-called mob at any time?—A. Yes, sir; I saw what they term here a mob.

Q. Explain the position of that mob, who they were.—A. My understanding of that matter is simply this: There were some appointments in beat 3, a strongly-contested beat, and in which there were a number of Independents who were fellows just as overbearing as they dared to be, men in the habit of intimidating their neighbors there. These men went down there to do just as much good as they could in the way of electioneering in our favor, making speeches and encouraging our own men. I made a speech there on the 4th of July, and our men commenced as early as that to try to buoy up each other there in order to get shut of this man Bufkin, who was a Republican of beat 3 and on the board of supervisors. In order to carry that beat, and in order that it might not be, as they termed it, a disgrace to the county, they began their canvass early in the action and our men went down to assist them, and I am satisfied that the men who went there never exhibited any violence to any one. The crowd has been immensely exaggerated. I do not believe from what I know of the men, I would not believe it from any witness who has taken the stand and sworn to it, knowing their character at home, I cannot be made to believe it, that the men I saw in that crowd who came into Hazlehurst had been shooting into negro houses or taking them out and beating them, much less killing and maiming them in any way.

Q. You think they were men who from their general character and reputation would be incapable of such acts?—A. That is my candid opinion. There were some men in that crowd who were rough men and who delighted in being so, and they possibly may have been guilty of some of those acts. But I know a large majority of them are immensely exaggerated. I know that from my knowledge of the people.

Q. In the high state of public excitement some people may have taken advantage of it in order to settle their private quarrels?—A. I think there is no question about that. I am as confident as I am that I live that what they term "the mob" had no more to do with the killing of this man Wallis than I had to do with it, or with the whipping of Handy Fortner, and I know they had nothing to do with the burning of Crump's house.

Mr. SAULSBURY. Is there anything further you wish to state?

The WITNESS. No, sir; nothing specially.

By the CHAIRMAN:

Q. You used a phrase just now in your description of the campaign of 1883, and the reason for the excitement in that campaign, that there were 2,200 negro votes in Mr. Matthews's pocket. What do you mean by that expression?—A. I mean by that, that Mr. Matthews had abso-

lute control, in my judgment, of them. I believe they would vote for the devil if he put him on his ticket.

Q. How many negro votes are there in your county?—A. I do not know. I have an idea that there are about 2,500. I think perhaps there were 300 negroes in that county that Mr. Matthews could not control.

Q. You think there were more negro votes than white?—A. No, sir.

Q. Are there more than 5,000 registered voters in the county?—A. That is a matter easily ascertained; I never have examined the registration of that county.

Q. You say that there was no shouting about cleaning Matthews out, or whatever the phrase is, by the crowd, but only by one man that you know?—A. I say the expression "We will kill them out" fell from the lips of a man named Womack.

Q. Do you mean to say that you heard every shout in that excited crowd?—A. I heard that as distinctly as I hear your voice, and I know it fell from his lips and no other man's.

Q. I want to know if you heard every shout that came from the others of the crowd?—A. No, sir; but such an extraordinary expression as that would have struck me.

Q. If you did not hear it it would not have struck you?—A. Not at all.

Q. And you mean to say that you heard all the shouts that came from the others of the crowd?—A. I cannot say that I heard everything that was said, but I am certain if the crowd had hollowed it out I would have noticed it.

Q. If any other man says he heard such shouts, you cannot say that it is not true. Now, did they permit this old gentleman, Major Barry, to speak, or did they shout so that he could not be heard?—A. Major Barry did not undertake to speak at any considerable length; he declined to speak; he got up and said, "I object to the passage of those resolutions. I am willing to hold a man responsible for all that he does, but I am not willing to go so far as to say what those resolutions do say, that they will hold him responsible for whatever crimes may be committed in the community;" about that time there was considerable uproar, and he sat down.

Q. Did you agree to any part of those resolutions or approve of them?—A. No, sir. There is one expression in the resolutions——

Q. I want to call your attention to a particular one.—A. Let me explain one thing. I think that the real gist of those resolutions, if they had any, and they seem to convey a good deal, seemed to consist in the impression that the people of that county had made up their minds that a few designing men could not take the negro vote and organize it against the white people, and thereby disrupt society and break up——

Q. They said if any man undertakes to organize the negro race against the whites it will be at his peril; that is what the resolution says.—A. If there is anything pardonable in those resolutions it is that expression, and those who have suffered under that know of it.

Q. You approve of that?—A. I do not approve of giving notice to the world that we will kill them or that a man shall do certain things at his peril; but I do object that any designing men shall control the negro vote over the people.

Q. When you say that no person or set of designing men should be permitted to organize the negro vote, do you mean to say that that should be prevented if the negroes and designing men should happen to constitute the majority?—A. I say if they are the majority I think we had

better get out of the country and not kill them. I am in favor of a majority rule, and if we cannot stand it, we will have to leave.

Q. If they have a majority of the votes you will have to stay there and endure it or go away?—A. Yes, sir; that is my idea. I do not wish to be understood as saying that the negroes of that county are all thieves or all designing. The truth is the negroes constitute the best element of the opposition to the Democrats in that county, and there are a number of good negroes, men, who if not misled and their passions not appealed to or their prejudices aroused, who would accumulate some property. They are generally improvident and would never accumulate much so far as that is concerned, but they would undertake to do their duty in the way of supporting the Government and paying their taxes. They are not a hostile people as a race, and not inclined, except when stirred up by designing men, to run counter to the white race. They are rather inclined to take counsel of the whites, and strange as it may seem there are a large number of negroes there who would go to their employers and take their advice on any question, who would risk their lives in the hands of attorneys, place their families' lives in the hands of doctors, who during a political campaign, and after hearing such men as they are in the habit of hearing there, notwithstanding these men had intrusted their property and rights to them, they could no longer reason with them, and they would leave a room or a meeting in order to keep from hearing them speak on politics.

Q. And actually vote against those good men?—A. Yes, sir; that is their privilege. I have seen negroes who could not actually read a word pretending to read the newspapers, and saying that the Democrats had passed certain laws, &c. Sol. Smith, for instance, reads the newspaper half the time wrong side upwards and then instructs them about the laws the Democrats have passed, and they cheer it to the echo.

Q. When you were asked by Mr. Saulsbury if there was anything you would like to add to your answers, you said there was nothing you wished to say particularly. When I ask you a question I do not want you to go on with a general discourse. If there is anything you deem important, of course you will have an opportunity to tell it. But I want to ask now in regard to some particular points, and I would like to have you confine your answers to the questions; if there is anything you wish to add before you leave the stand you shall have the fullest opportunity. Now, are not the colored people in that county quite desirous of having their children educated?—A. They seem to evince that desire, judging from the way they send them to school, and from the interest they take in it. I believe they do.

Q. Quite as much so as the least affluent class of the whites, are they not?—A. I rather believe they are.

Q. One witness testified they were more so, or at any rate quite as much so, and he was your Democratic superintendent of schools.—A. I think so, from the way they attend schools and the disposition they show to send their children to school.

Q. Do you not know that this complaint which you make that the persons who have left your party and gone in with the other party are the men who sought office and did not get it, and that there is wastefulness and extravagance in the management of the finances by your opponents, is a common complaint everywhere of the party that is out against the party that is in?—A. Yes, sir; I know that there are such complaints made always by the party that is opposed to the dominant party; but I know, furthermore, I have read something of parties in this country, and know something of their existence; that in no place,

except in the South, are the people surrounded with the peculiar circumstances that surround us; that is to say, where they are presented with a vote that is such a large factor in elections and that is so easily misled and misguided.

Q. I understand that. I understand that you have, at the South, whether it is right, or just, or wise, to encounter this peculiar fact that the current of events has made your former slaves, who were slaves without the fault, certainly, of the present or last generation of men, on an equality with you in voting, which is a very rare and impressive event in history. But still you recognize, do you not, the fact that they have this constitutional right?—A. To the fullest extent.

Q. Given to them without their fault, or without their doing anything to get it themselves; given to them by a force outside of their own?—A. I would not have blamed them if they had tried to get it.

Q. And you recognize that these colored people, during the war, were faithful and friendly; while their masters and masters' sons were at the war they staid at home and generally kept the peace?—A. I was a child then, but that is the general impression, and I think it is true.

Q. You have a feeling not unfriendly to the negro race so far as that is concerned? I do not speak of yourself personally, but your white people have?—A. I know I have a friendly feeling.

Q. Do you doubt that a very considerable portion of the people, the white Democrats, of your county agree with what Mr. Dodds stated the other day was his opinion, that this bulldozing, as it is called, while an evil, is preferable to permitting the negroes and this bad class of whites, if in the majority, to rule and control; that it is better to prevent it by force than to have it done?—A. I never have discussed that question with a sufficient number of men to express an opinion.

Q. You have told us in regard to many things, what you thought other people believed.—A. Upon that particular question I am not prepared to express an opinion. I know that a large number of people there are generally very conservative in their feelings, and are opposed to violence in any form, and I have reason to believe that they would submit to almost anything that could be endured rather than to resort to revolutionary methods.

Q. Do you not regard Mr. Dodds as one of the law-abiding and conservative people of the county?—A. Mr. Dodds is a conservative man, and I was surprised, and so expressed myself yesterday, at Mr. Dodds's testimony on that particular point. However, he is a man as capable of taking care of himself as I am, and as capable of judging. I mean by that in any intellectual difference of opinion.

Q. Have you investigated the particulars of this whipping of Handy Fortner yourself?—A. Not personally; I heard this——

Q. I do not ask you what you heard.—A. I insist on giving my explanation of the matter. I have heard the attorney of the man whom it is supposed whipped Fortner state that he himself believed that that matter was a personal matter and not a political one.

Q. But if those persons asked Fortner how he was going to vote, and told him that he must vote the Democratic ticket or be a thousand miles from the polls on election day, if that is true, would you not change your opinion on that subject?—A. I do not know that I would, for this reason: If this gentleman went and whipped him on account of a lawsuit, he would attribute it to most any other motive and undertake to make common cause with a large number of Democrats in this violation of the law. It is very probable they might have gone there and whipped

him on account of some private grievance, and yet attribute it not to the lawsuit but to the fact that he was a Republican.

Q. It would have about the same effect on the negro if a Democrat, with other Democrats, went there and whipped him and told him he must either vote the Democratic ticket or be absent from the election on election day. Do you think that helps it, so far as the negro is concerned, that the man had a personal spite?—A. Not so far as the negro is concerned in the least. I would say in addition, that this gentleman who testified as to what Fortner said before the grand jury, I know will not lie, and men on their oath and not on their oath will tell you what I believe to be true, that it is very questionable about anybody's going to Fortner's and talking about how he should vote, though I have no question about his being whipped.

Q. Is it not possible that he was in a state of terror before the grand jury?—A. No, sir; I think not. I know the character of the men on the grand jury, and Mr. Earnes said he assured him that if he had anything to say he should be protected in it, and would call any of the witnesses, if he had any, and I do not believe after that assurance the negro had any fear.

Q. It is barely possible if an indictment was found against Thompson or any other of these Democratic gentlemen, Fortner might think they would avenge themselves?—A. I do not believe they would. The law is not a farce in our State. Whenever a man is indicted, arraigned, and tried, as I have seen, you will see that there is some meaning in it. You get a man in the clutch of the law, and he is not so apt to go out and whip men as you imagine. It is before they get indicted and not after they get into the hands of the authorities that they do these things.

Q. But in these two instances you attribute it to suits at law?—A. Yes, sir; but bring them in and indict them for those offenses and for assault and battery, and they would be the last men in the world to attack those negroes any more.

Q. I shall look then with considerable interest to see whether Ras Wheeler is hung or not. I think you said you heard the speech of Mr. Bailey when he flourished this pistol?—A. I did.

Q. You also have testified, I think, that you heard a speech of his a few days before the election?—A. That was on Saturday night when he came in from beat 3.

Q. Did not Mr. Bailey say in that speech on Saturday night that he heard there was a warrant for his arrest?—A. Yes, sir.

Q. And that he was not going to be arrested until after election?—A. No, sir. Mr. Bailey said he understood there was a warrant for his arrest; that he was to be arrested as a common vagabond and disturber of the peace, and he said that he had not disturbed the peace or been engaged in the riotous conduct they accused him of, and I am sure that he never had. Any such expression as that would strike me as remarkable, and I know I should remember it. We are not a lot of brigands up there; we are not in the habit of hearing men swear they will resist the officers of the law, and will abide their own pleasure about it. Such things are not common in that State little as you may be disposed to believe it.

Q. I want to ask you about one other matter. Did you receive a letter or communication from anybody advising you to call a meeting, or to have a meeting called, to express disapproval of this killing of Print Matthews?—A. Not a line; I am certain that I never received a line from any one in reference to that matter.

Q. Or in reference to any of these outrages or matters that have been going on?—A. No, sir; not a line.

Q. Or any verbal message from any one?—A. No, sir; no verbal message from any one. I was in Jackson and discussed the matter with quite a number of men there.

Q. Did you consider or discuss the question of calling a meeting to either denounce or express disapproval of these proceedings or this crime of Wheeler's?—A. Not for a moment; I never dreamed of it.

Q. Or expressing disapproval of these resolutions?—A. Yes, sir; I did. I spoke to one or two men about it. I remember having spoken to Mr. Dodds about it, and, I think, I spoke to Judge Mayes about it.

Q. To anybody else?—A. I do not think I did.

Q. Did you discuss it with anybody in Jackson?—A. Judge Cooper spoke about it with me in Jackson, and, I think I talked with General George the night he left for Washington.

Q. Did he not advise it?—A. I do not know that he did. I think I suggested to him that I would be glad if something of the sort would be done.

Q. Did you conclude not to do it for the reason that it was likely that the same element which took possession of this other meeting would take possession of any other one that you called?—A. No, sir. I was quite busy at that time and it takes considerable effort to get a meeting of citizens in Copiah County, and there is hardly any man who will undertake of his own accord to work up a meeting of a large number of citizens there. After these resolutions were passed, which I considered very unjust towards the Matthews family and unjust towards ourselves, I thought if there was a mass meeting (because the other was not a mass meeting), and they would pass resolutions regretting the circumstances that had arisen and would say that those resolutions were not the sentiment of the people it would be a good thing and I think so yet. But I failed in my purpose, not really in my purpose, but I did not carry out what I thought of, from the simple fact that it was a greater undertaking than I had time to attend to.

Q. There was no difficulty in getting up the other meeting?—A. No, sir; it was the day after the election. The killing of Print Matthews was a very extraordinary thing in our county, and there were quite a number of men who came in there, and there were a number of excited men there, such as is incident to any other county where there has been trouble.

Q. How many cases had you on the docket of the circuit court at the last session?—A. I never have counted my cases.

Q. Had you more than eight?—A. Yes, sir; I had a good many more than eight; I must have had twenty cases. But I am surprised that a committee of the Senate of the United States should be going into an investigation of that matter.

Q. But the minority has gone into the investigation of Mr. Burnet's cases?—A. Yes, sir; but I never have published at large what kind of a practice I had in Copiah County.

Q. You will allow me to be a judge of the propriety of putting my question. I wish to ask you how many you have been employed in?—A. Twenty or thirty, I think. I am a young attorney, and have only been there in practice a few years. Mr. Burnet has been practicing law much longer than I have. I believe I was at Hazlehurst a year before Mr. Burnet came there, though I am not certain about that.

By Mr. SAULSBURY:

Q. You would not like to measure your standing at the bar by the standing of Mr. Burnet, would you?—A. No, sir; I would not.

Q. What is his standing at the bar, as they choose to refer to Mr. Burnet as a lawyer?—A. I am not in the habit of discussing the standing of my brother attorneys, but it is very unenviable in Copiah County, and also in Hinds County.

By the CHAIRMAN:

Q. He is the only Republican lawyer at Hazlehurst, except Judge Millsaps who voted the Democratic ticket at the last election?—A. Mr. Burnet never thought of being a Republican until he went to Washington City. I will tell you what I heard him say——

Q. I insist on your answering the question. I ask you whether, in your judgment, he is the only anti-Democratic lawyer in your county except Judge Millsaps?—A. No, sir.

Q. Well, at Hazlehurst?—A. There is a young man named Mayes there that I never considered much of a Democrat.

Q. But he voted the Democratic ticket at the last election?—A. I doubt it. Now, in reference to Mr. Burnet's Republicanism——

Q. Did not this Mr. Mayes introduce the public speakers at the Democratic meetings at the last campaign?—A. None that I remember of. I do not know that it is necessary to go into Mr. Mayes's character. He was a nephew of Print Matthews, and had a habit of voting for him. I am sorry I mentioned his name. In reference to Mr. Burnet's Republicanism I was going to say that when he was nominated two years ago for the State senate, going on to express his views of politics, he announced himself as a National Greenbacker, but I suppose they are not in power in Washington and have no gifts to confer, and that accounts, I suppose, for his being a Republican in Washington and a Greenbacker in Copiah County.

By Mr. JONAS:

Q. Does he call himself a Republican there?—A. No, sir; and he would hardly have submitted to have been called a Republican there either.

Q. Then he is not the only Republican lawyer there?—A. No, sir.

By Mr. CAMERON:

Q. You have referred to a Mr. Mayes and stated that you did not consider him much of a Democrat. Did he or not address the Democratic club during the last political campaign in your county?—A. Yes, sir; but he told me he was going to vote the Radical ticket from top to bottom.

Q. But he did address the club?—A. Yes, sir; I remember he did.

Q. Was he a member of the club?—A. I do not know; I think probably he was.

Q. Did Mr. Mayes call it the Radical ticket?—A. That is my impression.

Q. He meant the anti-Democratic ticket that was running in the county at that time?—A. Yes, sir; I do not remember whether he called it the Independent ticket or not, but he told me positively that he did not intend to vote for any Democrats on the ticket, but he talked a dozen ways about it. At any rate I know that Mr. Burnet's character at the bar was never determined by his politics; I know that, and I know to-day there are Republican lawyers in the State of Mississippi who stand just as fairly as any lawyers do; I know one at least who stands just as fairly as anybody; and I know the chancellor of our district was one of the most pronounced Republicans I have ever known, and he has been appointed for two successive terms and has been reappointed and served as chancellor, and no man in Mississippi is respected more than he is.

Q. Then you think there are two decent Republican lawyers in the State of Mississippi?—A. Yes, sir; two gentlemen I consider first-rate men, and there is another one here in this building, Mr. Lee; I have the highest respect for him. But I have no respect for the men who are Republicans in one country and Greenbackers in another and Democrats in another.

The subcommittee then adjourned until Wednesday morning, February 27, 1884.

NEW ORLEANS, LA., *Wednesday, February* 27, 1884.

The subcommittee met pursuant to adjournment. Present, Messrs. Hoar (chairman), Cameron, Frye, Saulsbury, and Jonas.

The examination of witnesses was resumed, as follows:

J. S. SEXTON recalled.

By Mr. SAULSBURY:

Question. Did you ever hear Mr. E. F. Bufkin say anything about running anybody out of the county, if so, state it?—Answer. I heard Mr. Bufkin say a few days after the election, at the time that he spoke of in his testimony here, when this board of supervisors were in session in Hazlehurst, at the corner of Mr. Subat's store, in the presence of several gentlemen, that he and this man Joe Bondurant, on the night after the election, were at his house, and he said he proposed to Bondurant that they should go down and have some fun out of Ormon, who was a Republican. He said that Mr. Bondurant first declined to go, but he said he had some whisky there, and he gave them two or three drinks of whisky, and after awhile they went down to Ormon's house and called at the gate, and he said, as soon as they called, Ormon declined to come out, and I think he said he ran out the back way, and he said they shot at him a time or two to scare him, not to hurt him, and the next day Ormon came to his house and said there had been one hundred and fifty men down there shooting and shot his house all to pieces. He said Ormon had left the country and he had never seen him since, but he had seen a letter from him, which was written from Pelebatchee, in Rankin County.

Q. Is Bufkin a Republican?—A. Yes, sir; and so is Ormon. Mr. Bufkin, the other day, said they shot off their pistols from the gallery and around and about his own house. But he stated to me in conversation that he went to Ormon's house, and told me what I have stated.

Q. Was this man who went with Bufkin and Bondurant a Republican also?—A. Yes, sir.

Q. Then the three were Republicans—Bufkin and the other two men?—A. Yes, sir; or anti-Democratic; I think they were all straight Republicans.

Q. Did Mr. Bufkin intend to convey the impression that it was because this man was scared at his shooting that he ran off?—A. That was my understanding, and that is what he intended to convey; there is no doubt about it.

By Mr. CAMERON:

Q. It might be well enough to tell what he said, and leave it to others to judge of the intention?—A. I have stated fully what he said.

By Mr. SAULSBURY:

Q. You heard Mr. Bufkin's testimony here the other day?—A. Yes, sir.

Q. It was not in accordance with the statement he made previously?—A. No, sir; he testified here the other day that on that night he shot off a couple of rounds from his pistol in his gallery, and the statement that he made to me was that they went down to Ormon's house and shot them off; that is just the difference.

Q. Do you know anything about David Bell, a negro witness who has testified here, and of his coming to you and trying to get a chance to summon the witnesses?—A. Bell came to my office one day week before last. I suppose he had learned that I had been selected, or was expecting to come down here; he came and sat in my office a few minutes and asked me if I expected to take any part in this investigation. I told him probably I would. He then asked me if he could do me any good as a witness. That was the first proposition he put. He wanted to be summoned as a witness. I told him I did not know, and asked him what he knew. He detailed some little matters about Mr. Matthews being a violent man and that he had written to Mr. Matthews that his extreme course in politics was driving men off from the party. I said I did not want him as a witness. Then he wanted me to have him appointed marshal of this committee to summon witnesses up there, and said if I would do it he would consult with the darkies who would be summoned down here. He said the niggers thought this was a big thing, but there was no use of their going crazy about it, and he would tell them that they had to leave there or testify favorably to our side, if he was appointed. I thought he was after a bribe, and I told him I would have nothing to do with it. He has a job now in the legislature as a porter, I believe. He is always hunting little jobs about.

Q. Do you know anything about why armed men went to Spencer's mill or to Brown's store, or both places? If so, state.—A. On the day of the election a young man named Bill Higdon came in from Spencer's mill very much excited and said that Ed. Matthews, who testified the other day, had five double-barreled shot-guns in his house a few yards from the polling precinct, and I think he said a man named Mincher had raised a difficulty with some of our friends on election day, and there was enough of them, and it was sufficiently dangerous to create considerable trouble there and they came to town for assistance, and Mr. Joe Bailey, Pooler Britton, and several others got horses and went out there for the purpose of assisting our friends in the event there was a general conflict there, which they thought was very imminent at that time.

Q. Did they or not go there for the purpose of making a disturbance, or was it for the purpose of preventing a disturbance by the protection which they proposed to afford to Democrats?—A. They had no idea of making a disturbance, I think. I know they were appealed to to go there, because disturbance was threatened upon the other side; and at Brown's store a young man came in from there late in the evening; he was sent to me to get me to go out there, and he stated there was a large number of negroes out there and there were but a few white men there, and the negroes were all standing around there and some of them had guns, and he said the white people there were afraid, very uneasy, and wanted some help. I could not find any horse at all at the livery stable, and I telegraphed to Mr. Wilkinson, at Crystal Springs, that there was serious trouble, and to send some help down there.

Q. What was your object in doing that?—A. It was to get assistance in the event of the negroes undertaking to raise a row there, but it was not to start up a riot or anything of that kind.

Q. Or to intimidate or to prevent the negroes from voting?—A. No, sir. They had sent down when I telegraphed to town. The votes had not been counted. The negroes were standing around there, and they were led by a negro named Lewis Brown. You talk about these lamb-like negroes; I know that that negro, Lewis Brown, is as brave as Cæsar. They expected a serious conflict there.

Q. Do you know the reasons that were assigned for the passing of the resolutions which have been referred to here?—A. To some extent, I do. I have heard some gentlemen who were present, and who took part in the resolutions, talk about the reason they were passed, and they assigned this as a reason: it was just a common rumor, as current as anything could be, that Mr. Matthews had made those threats and talked about his will, and all that sort of thing, and he was attended by a body of men who were desperate, known to be men of courage, and the people there were uneasy, and they were afraid there was going to be further violence, and a part of the men who voted for those resolutions, I am satisfied from what they say, voted for them as a quietus, to stop their troubling them further. I have heard men say if those resolutions had not been passed there would have been a dozen good men killed there; that while the resolutions were bad in themselves, they had the effect of preventing further bloodshed. I heard that reason assigned for it.

Q. If there is any other statement you wish to make you can do so.—A. There is nothing else.

By Mr. CAMERON:

Q. What reasons were assigned at the meeting for the passage of the resolutions?—A. The resolutions speak for themselves.

Q. I did not ask you that; I asked you what reasons were assigned at the meeting for the passage of those resolutions?—A. Do you think you can make me testify to a state of facts whether I know it or not?

Q. I ask you to state if you know.—A. I heard no reasons assigned. There is a preamble there which speaks for itself.

Q. I did not ask you about the preamble.—A. Well, I wish to make that answer.

Q. Did you hear any reason assigned in the meeting for the passage of the resolutions?—A. I think I did. I probably heard men speaking of those resolutions, but the reasons were set forth in the preamble to the resolutions.

Q. You are a lawyer, and I ask you to state.—A. I do not remember hearing any man in a speech state why the resolutions must be passed, but I think that was the general impression of the crowd, that there was danger of further serious trouble.

Q. I did not ask your impression of the crowd; I ask you to state what reasons, if any, you heard assigned in the meeting for the passage of the resolutions?—A. I do not remember to have heard any assigned from the bench, or from any public speaker in the crowd.

Q. Or anywhere?—A. I cannot recollect that I heard any reason assigned whatever from anybody, but I am satisfied that was the general impression.

Q. I do not ask you what you were satisfied of.—A. I shall not stop when you get ready. I shall answer in the way I please.

Q. I will ask you again the reasons you heard, if any, assigned at the meeting for the passage of the resolutions?—A. I refer you to my previous answer.

Q. What was that?—A. You can have it read.

(The stenographer read the answer referred to.)

The WITNESS. That is just my memory of it.

Q. Who informed you, after the passage of the resolutions, what his or their reasons were for voting for them?—A. I have heard several men talk of it; among others I heard Mr. Miller and Mr. Dodds say that they were satisfied the effect of those resolutions was to keep down trouble there. I remember those two men.

Q. Was Mr. Miller or not elected district attorney on the Democratic ticket at the last election?—A. Yes, sir, he was.

Q. And Mr. Dodds, who has been a witness before the committee, was the other one?—A. Yes, sir.

Q. Are they the only two?—A. No, sir; I have heard others talk about it, but I cannot recall their names. I reckon you are aware of the fact that a man cannot call to memory every conversation and name of the men that took part in that conversation so long afterwards.

Q. How long after the passage of the resolutions was it when Mr. Dodds assigned to you his reasons for voting for them?—A. Mr. Dodds and I discussed those resolutions immediately after their passage. We talked about it first and last twenty times, and Mr. Miller and I talked about it often, and Mr. Conn and I. I think we have talked about this matter frequently, and I have talked to a number of citizens there about it, among others to Judge Mayes, and Judge Peyton, though I do not remember that they made the same statement that Mr. Miller and Mr. Dodds made in reference to them. But we talked about them very often there.

Q. You stated that some of the persons with whom you had talked thought, although the resolutions were wrong in themselves, if I understood you correctly, still the effect of them was to prevent further bloodshed?—A. Yes, sir.

Q. Did Mr. Dodds state that to you, or anything to that effect?—A. I do not remember that Mr. Dodds did.

Q. Who did?—A. I think I heard Mr. Miller say so; I know I heard him say so; probably I have heard others say so.

Q. Have you heard any others state that?—A. I cannot recall any other names just now, though I am satisfied I have heard other gentlemen express the same opinion.

Q. Who directed these armed men to go to Spencer's Mill?—A. I do not know that any one directed them to. There were quite a number of gentlemen there who were ready to go if they could have gotten horses. I know it was very troublesome to get horses there to go, and I know that I saw Mr. Bailey and Mr. Britton, among others, going out. I have no idea that they were directed. I think when the appeal came in they volunteered their services.

Q. Who requested or directed the armed men to go to Brown's store?—A. I never saw any armed men go to Brown's store. I telegraphed to Mr. Wilkinson at Crystal Springs that there was danger of serious conflict at Brown's store and to send help if he could. I do not know whether any help went or not. I have heard that some men started, and afterwards heard that there was no trouble there and then turned back. I do not know that of my own knowledge.

W. B. BINGHAM sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. At Hazlehurst, Copiah County, Mississippi.

Q. Have you lived there for several years?—A. Yes, sir, for nine years.

Q. What is your profession?—A. I am a Presbyterian minister.

Q. In charge of the church at Hazlehurst?—A. Yes, sir.

Q. Were you superintendent of education from 1876 to 1884?—A. Yes, sir; from March, 1876, to February, 1884.

Q. In that capacity did you examine and contract with teachers for the public schools of your county?—A. I did.

Q. Did you issue pay certificates, &c.?—A. Yes, sir.

Q. And with the aid of the board of supervisors, did you establish and locate the public schools?—A. Yes, sir, that duty was performed at the first meeting in January, every year. The law makes it the duty of the county superintendent, in connection with the board of supervisors, to establish and locate the public schools within their respective counties each year. With that exception all the other school business was performed by myself.

Q. Do you remember about how many schools there are in the county?—A. About one hundred and forty; seventy-five white and sixty-five colored.

Q. Were the same rules applied in the examination of teachers for the white and colored schools?—A. Yes, sir, the law specifies that. Everywhere in Mississippi there are three grades for teachers, the first, second, and third, and the law specifies upon what branches teachers applying for those grades shall be examined. I applied the same rule to both white and colored under examination.

Q. The colored teachers have the same privileges, and get the same pay?—A. Yes, sir; they have the same rights and privileges as the whites.

Q. Were the teachers of the colored schools colored or sometimes white?—A. With two exceptions since I have been superintendent the teachers of our colored schools have all been colored. We had one German who taught a colored school, and a white lady who taught a colored school in the past eight years.

Q. You are speaking of the teachers in the colored schools?—A. Yes, sir.

Q. The teachers of the colored schools passed the same examination as the teachers of the white schools?—A. Yes, sir.

Q. And were quite as competent?—A. Yes, sir.

Q. Did the colored people have a sufficient number of schools to accommodate the colored pupils?—A. Yes, sir. Under the law the schools for each year were located for that year, and subsequent to that annual meeting in January, whenever applications were made, and their applications came within the provisions of the law, schools were established at subsequent times during the year, both for colored and white. There has never been any complaint made by the colored people of the county of not obtaining their full benefit, so far as schools are concerned, or as far as the teachers were concerned.

Q. The schools were located conveniently?—A. Yes, sir; the law prescribes that school facilities shall be granted to both races, and that schools shall be established within 3 miles of each other and nearer when necessary.

Q. Do the colored people avail themselves generally of the facilities

given them for attending schools?—A. Yes, sir; they have been very desirous for education. The parents have been for having their children educated, and I believe, as a rule, the average attendance of the colored children upon their schools has been greater, even, than the attendance upon the part of the whites. I could not account for it.

Q. The colored schools were open and taught as usual last year?—A. Yes, sir; there was no interruption that I know of. There are some schools which are interrupted sometimes every year; sometimes from sickness in a particular neighborhood, and in the spring of the year when the crops are being worked at, and in the fall of the year when the cotton is being picked. But, with these exceptions, there was no interruption last year.

Q. That is usual with the public schools in the cotton-growing districts, is it not?—A. Yes, sir.

Q. But there is no discrimination made in that respect between the schools of the two classes?—A. No, sir. The law provides that a recess may be taken of the schools when providential reasons justify, so that the schools very often are interrupted in order to meet the wants and the needs of the particular schools. I will state just here that perhaps two, not more than two, of the colored teachers, towards the latter part of the year, in October or November, I think it was, just before the election, reported that the schools were small, and some of their parents were a little apprehensive, in view of the political excitement prevailing, and I suppose their schools were closed a little in advance on that account. With that exception, though, there was no interruption.

Q. Were schools established last year?—A. Yes, sir; more white and colored schools both, were established in 1884 than in 1883.

Q. Therefore, there are more than one hundred and forty schools in the county this year?—A. Yes, sir.

Q. And both white and colored were increased, you say?—A. Yes, sir.

Q. How long have you lived in Mississippi?—A. I have been a resident of Mississippi for twelve years.

Q. And have lived in Copiah County about nine years, I think you say?—A. Yes, sir.

Q. Do you know the citizens of Copiah County pretty well?—A. Yes, sir; I am acquainted with nearly all the leading citizens in this way: In selecting trustees throughout the county the object is to get the best men who are patrons of each school as trustees of those schools, and I often have to confer with the trustees of the schools on school business, and in that way have formed the acquaintance of nearly all the best people in the county, both white and colored being trustees of their respective schools.

Q. What are the characteristics of the citizens of Copiah County in regard to a love of order, intelligence, and their general character?—A. The people will compare favorably with the people of any neighborhood in which I have ever lived. The people are noted for their hospitality and as law-abiding citizens, and are as intelligent and moral as any people with whom I have lived.

Q. Are they church-going people?—A. Yes, sir; there are quite a number of churches established throughout the county.

Q. What State are you from?—A. I am a native of Alabama.

Q. Do you find they compare favorably with the people of Alabama?—A. Yes, sir; I think so.

Q. And with the people of other communities in which you have lived?—A. Yes, sir.

Q. I suppose you take little or no part in politics?—A. No, sir; I simply vote. I have voted at all the elections held in my county and town since I have been a resident of the place. I attended only one of the speakings in our town last fall. I went down one night to hear some speaking.

By the CHAIRMAN:

Q. Whose speaking was that?—A. It was by some of our townsmen. I think it was the evening that Mr. Sexton, perhaps, and a Mr. Bailey and one of the candidates for the legislature, Mr. Guynes, spoke.

Q. They were Democratic speakers?—A. Yes, sir.

Q. There was no Republican or Independent speaking at the same meeting that you heard?—A. No, sir; this Hazlehurst club, I think, had speaking regularly every week or two, and this was one of their regular appointments.

Q. Were those speeches warm and earnest?—A. Oh, yes, sir; they were earnest and pointed.

Q. Did they condemn the Republican party with a good deal of severity, or their opponents?—A. I suppose as much so as they thought they deserved.

Q. I will inquire whether Mr. Sexton manifested an equal warmth of manner that he did in his testimony yesterday?—A. Well, I did not hear it myself.

Q. Do you know Mr. Burnet?—A. Yes, sir; I have known Mr. Burnet for a year or two past.

Q. Was not Mr. Burnet's character good in that community up to the time of the election?—A. I will state that my acquaintance with Mr. Burnet is very limited. We have met and spoken and passed each other.

Q. Still you knew of him as a young lawyer actively engaged in politics?—A. Yes, sir; I have heard him spoken of by some of our people.

Q. Was not his general character good?—A. So far as I know.

Q. Did you ever hear of his being engaged in drunken brawls or immoral practices in any way?—A. No, sir; I never have.

Q. Up to the time of the election did he not bear the reputation of an upright, industrious, moral, sober, and public spirited young man?—A. So far as I know. I say that my acquaintance is limited, and I have heard very little said in regard to Mr. Burnet one way or the other.

Q. You live in Hazlehurst?—A. I live in Hazlehurst; yes, sir.

Q. Did you have a church in addition to your duties as superintendent of schools; did you preach on Sunday?—A. Yes, sir; I am pastor of the Presbyterian church.

Q. Did Mr. Burnet attend your church?—A. I have seen him there sometimes.

Q. But the Methodist church he attended mostly, did he not?—A. I think so.

Q. How many of these colored schools were stopped earlier than usual in consequence of the apprehension of the colored people growing out of these disturbances?—A. I think only one or two.

Q. How long before their usual time of stopping?—A. I think they were nearly, perhaps, in their last month. The schools run four months; the schools were nearly out.

Q. A week or two sooner than usual?—A. Yes, sir; perhaps so.

Q. But not a month?—A. No, sir; I do not think so. The schools were nearly out.

Q. In what precinct or beat were these schools that stopped?—A. So far as I remember one was in beat 4 and one in beat 2; in the western and southeastern part of the county.

Q. Were those pretty largely attended colored schools usually?—A. So far as I remember now they were the usual size. The schools average, perhaps, thirty or thirty-five scholars.

Q. What is the school age in Mississippi?—A. From five to twenty-one.

Q. I suppose at that season of the year the scholars would be under fifteen or sixteen, would they not, under the age of actual laborers?—A. Yes, sir; comparatively few scholars over eighteen attend school and comparatively few under eight.

Q. Of course, you expect in school teachers of all kinds of schools, in addition to their literary qualification, the qualification of a good moral character?—A. Yes, sir; that is one of the essentials.

Q. And you would not permit any person to take the office of school teacher, whether colored or white, unless you were in some way, such as you should prescribe, whatever that was, satisfied of the good moral character of the applicant?—A. No, sir; I would not.

Q. Now, these colored teachers of schools were of good moral character, were they?—A. Yes, sir; so far as I knew when I examined them and gave certificates to them they were——

Q. That was merely an introductory question to something else. Were these colored school teachers generally Republicans in politics?—A. Yes, sir; I think so; perhaps altogether so.

Q. How many were there of them in your county?—A. We had, I think, perhaps, each year, fifty colored teachers every year.

Q. Would not the colored school teachers there, as elsewhere, at any rate within your experience, be, if they were persons of good moral character and competent to teach school, persons of a good deal of influence among the people of their own race?—A. Of course; yes sir.

By Mr. SAULSBURY:

Q. You started to say that when you gave certificates to these parties you regarded them as men of good moral character. You started to say something, but was interrupted by an inquiry. What did you wish to say?—A. It was simply this: That I have had, since I have been superintendent, to cancel the certificates of some teachers on account of immoral practices. A few colored and a few white also for drunkenness, and sometimes other habits, the knowledge of which came to me.

By the CHAIRMAN:

Q. You would not say that the teachers, whether colored or white, in that community were less moral or respectable than in other communities, so far as you know or believe?—A. No, sir; I think the colored teachers, from all I can learn in Copiah County—and I have insisted upon a rigid examination, and the highest standards, both literary and moral—are, perhaps, superior to those of the adjoining counties. Very often teachers who failed to get certificates from me would go to other counties and get them, because of the superintendents there being rather lax.

Q. So that you do not mean to imply, as a contradiction of what you said to me before, that generally they were persons of high moral character, and of the proper literary attainment?—A. No, sir; I insist on their maintaining that reputation.

By Mr. SAULSBURY:

Q. I believe you stated that the interruptions to which you referred in the colored schools were in schools, one in beat 2 and the other in beat 4.—A. Yes, sir.

Q. Were there any interruptions to the colored schools, so far as you know, in beat 3?—A. None that I know of; no, sir.

J. F. SESSIONS sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Brookhaven, Miss.

Q. What is your occupation?—A. I am a lawyer.

Q. There has been some testimony given here in reference to a suit between the county of Copiah and Mr. Cook, in which you have been referred to as one of the counsel?—A. Yes, sir.

Q. Were you one of the counsel for the county of Copiah?—A. Yes, sir; our firm, Sessions & Cassidy, were engaged to assist Mr. Burnet in this suit.

Q. Was that suit finally terminated and disposed of fairly and to the satisfaction of the counsel for the county?—A. Yes, sir. We spent some time in the investigation of the case after the suit was brought, and knew nothing of it in advance; we were employed to assist him. It was assumed that Mr. Cook was indebted to the county, and we were engaged, as I stated, to assist him, and we investigated it after the suit was brought, really, and the matter was referred to a referee, Mr. McNair. I was not there at the conclusion of the case. I was there during the investigation of the case, but not when it was concluded. My partner, Judge Cassidy, who is here, was present. He was satisfied and agreed, I believe, with the counsel for Mr. Cook upon the judgment which the referee rendered.

Q. That judgment was in favor of Mr. Cook, was it not?—A. Yes, sir; for $1,000, I believe. There were three suits referred as I recollect. I think there were three declarations filed against Cook, and there was a suit by Cook against the county. All those suits were referred to the referee.

Q. And the whole matter was wound up by this settlement you have spoken of?—A. Yes, sir.

Q. Had you or the counsel for Copiah County any complaint to make of the disposition of that case by Judge Wharton?—A. Oh, no, sir; it was all perfectly fair; it was all agreed upon.

Q. Are you generally acquainted with the people of Copiah County?—A. Not very extensively. I am acquainted some in Hazlehurst, but not with the people throughout the county.

Mr. SAULSBURY. Then I will not ask you the question I was going to put, if you are not acquainted with the people of that county.

By the CHAIRMAN:

Q. What was the time of the compromise or settlement of that suit?—A. I do not remember the date. I remember the occurrence.

Q. Was it shortly after the election, or about that time?—A. I think so.

Q. Had you met Mr. Burnet before that, in Jackson?—A. Yes, sir; I met him in Jackson.

Q. Did not Mr. Burnet express some dissent to this disposition of the suit, as contrary to his view of the case?—A. I think he expressed some surprise at the result.

Q. My question was not exactly that; I mean whether he did not express his own dissent from the conclusion which had been arrived at?—A. I think the expression which I have used gives a better idea of what I learned from him than to say that he expressed dissent.

Q. Did he not express his desire to have it put over until he could be present?—A. I do not remember that he did.

Q. Did he state to you that he had written Judge Wharton a letter stating that under the excitement he could not be present?—A. If he did I do not recollect it; I know that Mr. Burnet was well aware, and so was I, that the suit was in abler hands than his or mine; my associate was there attending to it.

A. C. McNAIR sworn and examined.

By Mr. SAULSBURY:

Question. Were you or not the referee to whom the case of the county of Copiah against Cook was referred?—Answer. Yes, sir.

Q. Upon the examination of that case were you satisfied that the county was indebted to Mr. Cook in the amount of the judgment which was rendered in his favor?—A. Yes, sir; I was satisfied that the county was indebted to Mr. Cook for more than the amount reported. I heard all the testimony. From all the testimony that was developed before me I was satisfied of that. That report was made. It was agreed on, the amount was, by the attorneys for the county and for the defendants.

Q. Your report was in conformity with an agreement with the respective counsel employed in the case?—A. Yes, sir. I will state this: From the estimate I made of it, I would have reported that the county was indebted to Mr. Cook about $1,700; that would have been my report.

Q. Do you know whether or not you were selected by the attorneys for the county as the referee and accepted by the attorney of Mr. Cook?—A. I was so informed.

Q. We have had a witness here by the name of Joshua Wallis, who has testified in this case. Do you know whether he was ever indicted in your county for any crime; if so, what?—A. I know that if he is the same man——

The CHAIRMAN. But have you the record of the court?

The WITNESS. I can describe the man. I have not seen the man who has testified. But this man who was indicted in Lincoln County, where I live, was a tall mulatto, and heard a Mr. Bufkin—I do not know Bufkin's initials—were indicted in 1882 or 1883.

The CHAIRMAN. That is not Tom Wallis that you are speaking of?

The WITNESS. Joshua Wallis is the man I am speaking of.

The CHAIRMAN. Do you expect to prove by witnesses here that a man was indicted?

Mr. SAULSBURY. If you will wait you will find that I am interrogating the attorney who defended Wallis in the suit, and that he knows whereof he speaks.

The CHAIRMAN. His evidence would not be legally competent.

Mr. SAULSBURY. I would humbly submit to the chairman of this committee that we have had a great deal of evidence that would not be listened to for half a minute by any judge in any court in the United States.

The CHAIRMAN. That may be your opinion. I was about to admit the evidence, but I want to say that the rule we have endeavored to pursue I have stated once or twice before. I do not understand that

the committee admits hearsay testimony to prove facts. For instance, if you were to show by hearsay that a witness had done some particular thing you must prove that in the ordinary way. We have permitted, in regard to the state of things in Copiah County, where there was a great deal of political excitement and feeling, and where it is stated that persons were driven from the polls by fear, we have permitted two classes of testimony, rumors of crimes or disorders, as showing the fact that the rumor existed and influenced the result of the election on the one side, and rumors of the character of persons like Mr. Matthews, who was killed, or other persons who were active Republicans, as tending to excuse, or account for, or qualify, or at any rate state the facts which led to those disorders on the other. Those things we have let in on both sides. But I do not understand that on either side there has been a consent that you should show if, for instance, John Brown is called as a witness for the defense you can thereafter call somebody to say that John Brown was indicted for something. That does not come within the principle. But if you say it was the case of a person who was actually an attorney at the trial here, I should, under these circumstances, think it would not be worth while to apply the strict rules, because it is a man who knows the fact, and not idle or distant rumor.

Mr. SAULSBURY. So far as that is concerned, the records of this conviction are not accessible to this committee, but I hold that properly speaking secondary testimony in a case of this class might be admissible in a court of justice. True, the record of itself would be the best evidence, but where the record is not accessible, and where the committee has no control over it, I think it is perfectly legal evidence to produce a witness who knows the fact and has seen the record, one who knows the fact of his own knowledge.

The CHAIRMAN. When I made my objection you had not disclosed the fact which you now state.

By Mr. SAULSBURY:

Q. Were you counsel in that case?—A. Yes, sir.

Q. Please state what he was indicted for.—A. He was indicted for grand larceny, and a Mr. Bufkin—I do not remember Bufkin's initials.

Q. Were you the counsel in the case?—A. I was counsel for Wallis. I did not represent Mr. Bufkin. They both plead guilty to petit larceny and were fined by the court.

By the CHAIRMAN:

Q. What was the thing stolen, do you remember?—A. It was a cow that belonged to Mr. Decell, in Copiah County. This was in Lincoln County.

H. C. CONN sworn and examined.

By Mr. JONAS:

Question. You live in Hazlehurst, Copiah County?—Answer. Yes, sir.

Q. How long have you lived there?—A. I have lived in Hazlehurst since 1873 or 1874, I forget which. I am a native of the county, however, and I have lived there all my life.

Q. You are a lawyer by profession?—A. Yes, sir; I am a practicing lawyer.

Q. Were you chairman of the Democratic executive committee of Copiah County in the canvass of 1882, the Congressional canvass?—A. Yes, sir; I was chairman. That was at the time when Major Barksdale

was elected to Congress. It was the last canvass before this one which you have under investigation.

Q. Please state what was the character of the canvass and election in Copiah County at that time, whether peaceable or otherwise.—A. It was a very quiet canvass. There was little or no excitement during the canvass.

Q. Major Barksdale had an opponent, had he not?—A. Yes, sir; Mr. Hill, who is revenue collector at Jackson, a colored gentleman, was the regular Republican nominee for Congress in that district.

Q. Did he canvass the county?—A. Yes, sir; he had appointments about in the county and canvassed the county as usual for Congress, and addressed the people. We did not canvass together, however; each one had his own appointments.

Q. Was there any trouble at that election?—A. No, sir; nothing whatever that I ever heard of, nothing that was supposed to be attributable to politics.

Q. What was the result of that election in Copiah County?—A. In round numbers Major Barksdale's majority was about 700, either a few votes more or less than 700.

Q. Was there any complaint of violence or anything of that kind?—A. Not a word that I ever heard of. Both parties accepted it as a fair election. I understand there was no complaint from either side.

By the CHAIRMAN:

Q. Did you take part in the election of 1875?—A. I reckon you might say I took part in it; I was there.

Q. Did you take a pretty active part?—A. Not very.

Q. Did you hold any office; were you a member of the committee?—A. No, sir; in 1875 I had no official connection with the party.

Q. Was that a quiet, peaceable election?—A. I think it was a peaceable election, but it lacked a good deal of being a quiet one. The election was quiet enough, but the canvass was anything but quiet.

Q. But it was peaceable?—A. Yes, sir; I think it was peaceable. There was a good deal of enthusiasm, as there always is, and personal difficulties would arise between parties sometimes, but there was nothing like a riot.

Q. But so far as being peaceable and quiet is concerned, the election when Major Barksdale was elected was an election of the same character as that of 1875?—A. No, sir; I think not. The canvass was a very different matter.

Q. In what respect did they differ?—A. In 1875 the county was canvassed very vigorously by both sides. I know our party had committees before the election to see every voter individually, and see that he came to vote, and we had a great many barbecues and public meetings, torchlight processions and displays of that kind.

Q. I am speaking about the offenses against quiet and order, not the ordinary enthusiasm of a campaign.—A. I do not recollect that in 1875 there were any offenses against law and order.

Q. In that respect the two elections would compare favorably?—A. I believe, since you have mentioned it, there was a little trouble between Judge Bridewell and Mr. Matthews on the day of the election at Beauregard.

Q. But that was a "fuss kicked up by a Republican"?—A. I do not know whether it was kicked up by a Republican or not; they are both Republicans now, or were at the last election; I do not remember of any other trouble.

Q. When was Major Barksdale elected?—A. In 1882.

Q. How did that election compare with the election of last fall, with regard to being peaceable and quiet?—A. I cannot say the same thing about the difference in the two as about the election of 1875. You see when Major Barksdale was elected he was the only candidate to be voted for, that is, himself and his opponent. The only officer to be elected was a Congressman; and, of course, there is not that amount of interest taken in a canvass when there is no local politics in it, as when it takes in all the county and State offices.

Q. So far as the excitement appeared to deter people from voting honestly and fairly as they pleased, was there any difference between the election of 1882 and that of 1883?—A. I had so little to do with the election of 1883 that I cannot tell you much about it.

Q. Were you not there?—A. Yes, sir; I was there most of the time.

Q. A member of the bar?—A. Yes, sir.

Q. You knew what was going on pretty well?—A. I thought I did.

Q. You are neither blind or deaf?—A. No, sir; I am glad to say I am not.

Q. I want to know in regard to the matter of people casting their ballots freely and without intimidation, whether there was any difference between the election of 1882 and that of 1883, so far as you believe?—A. I think there was, for the reason that there was little pursuasion and little or no canvassing done in the county in 1882.

Q. Do not misunderstand my question, for I do not want you to make an answer that you do not mean to. My question was as to voters casting their ballots fearlessly and without intimidation; whether there was any difference in those two canvasses?—A. So far as I know there was no difference.

Q. What is your belief?—A. I do not know about that. If some of these things that I heard since I came here are true, I take it that there might have been some who did not vote as they pleased.

Q. Had you not heard some of those things before you came here?—A. I had not heard them in the way they are told here; no, sir.

Q. So far as you believed before you came here, then, how did the election of 1883 and that of 1882 compare in the matter of persons casting their votes fairly and fearlessly?—A. So far as I know, I know nothing to the contrary.

Q. I am asking you for your belief, as a well-informed citizen and as a member of the bar?—A. I cannot say that I was a well-informed citizen.

Q. I assume you are.—A. I beg to differ with you, for really I was not well informed about the working of this canvass.

Q. Then you had no belief as to whether the canvass was freely and fairly conducted in 1883?—A. Yes, sir; I was inclined to think it was; I was impressed that it was. I want you to understand me, however, that I thought, and think yet, that there were some individual cases where perhaps men were improperly influenced, as always occurs in elections everywhere.

Q. I am speaking of the influence of fear and terror?—A. That is what I am speaking of.

Q. Do you think it always occurs in every election?—A. I did not say that it was a rule there. I say it always occurs, or nearly always occurs, that everywhere improper influences are brought to bear at all elections where there is great excitement.

By Mr. JONAS:

Q. You knew the candidates on the Independent ticket in the election?—A. Yes, sir; I was personally acquainted with all of them.

Q. The election of 1875 has been alluded to. Did not all of those candidates, except Mr. Leon Matthews, support the Democratic ticket of 1875; were they not Democrats at that time?—A. Oh, yes, sir; the candidates for the legislature were Democrats, and Judge Bridwell always took a prominent part in the canvass.

Q. How with Mr. Enochs?—A. He was a Democrat, and has been before our county convention for office.

Q. Was not Mr. Matthews the only Republican on that ticket?—A. Yes, sir; that is true.

Q. Did not most of those gentlemen support Major Barksdale for Congress, then?—A. I think all did except Mr. Matthews; that is my understanding about it.

By the CHAIRMAN:

Q. I suppose that you will admit that they had a right to change their opinions?—A. Why, certainly.

B. F. CONN sworn and examined.

By Mr. SAULSBURY:

Question. Where do you reside?—Answer. In Copiah County, Mississippi.

Q. Where do you vote?—A. I vote at Heath's store, district 4, in the western part of the county.

Q. Something has been said here about the disturbance at Heath's store; state what you know about it.—A. I know there was a difficulty between Colonel Jones and Mr. George Nelson.

Q. State the nature of that disagreement.

The WITNESS. The cause of it?

Mr. SAULSBURY. Yes.

A. The cause of the difficulty was on account of Colonel Jones stating that it was unlawful for the colored voters to scratch their tickets; that they would be thrown out and not counted. And some one told Mr. Nelson about it, and he went and asked Colonel Jones about it, and he began to evade it and put it off in an indefinite way, and that brought about the difficulty between Mr. Nelson and Colonel Jones.

Q. Was the election, with that exception, at that store—Heath's store—quiet and peaceable?—A. Very quiet and peaceable. That difficulty did not seem to disturb anybody but the few who participated in it.

Q. The only parties disturbed, then, by this difficulty were the parties engaged in it, Mr. Nelson and Colonel Jones?—A. Yes, sir; and a few others took stock in it. There are always friends to a difficulty.

Q. Did it or not affect the vote at that store?—A. No, sir; it did not stop it two minutes. It just went right on. It was just a personal altercation.

Q. It did not come even to a fist fight?—A. No, sir; not to blows or approximate blows.

Q. It has been assigned here, as one cause, why there was not a fair election at that district. I ask you, as a voter and an intelligent gentleman present at that district, if there was any disturbance growing out of the altercation of Colonel Jones and Mr. Nelson, or from any other cause that interfered with the peaceable right of every citizen to deposit his vote?—A. No, sir; there was not.

By the CHAIRMAN:

Q. You understand the law to be, in your State, that if there is any device or mark on a ticket, except the heading, that it is illegal or prohibited?—A. That is generally the impression. I am a very quiet citizen, and do not study law, but stay at home and attend to my own business.

Q. Now, will you tell me whether that is the law in Mississippi?—A. Yes, sir; that is the law, or my impression of it, at least.

Q. Did not Colonel Jones claim that these scratched tickets that the negroes were voting had marks on the back?—A. I do not think he did. That was the impression that he tried to make after the difficulty with Mr. Nelson.

Q. Did they not have marks on the back?—A. I did not see any of them. I do not know of my own personal knowledge.

Q. Do you not know that the vote for Mr. John R. Lynch—if that is his name, a colored Republican member of Congress from your State—was thrown out because there were some marks, as alleged, on the back of the ticket?—A. Yes, sir; I know that from the history of the case.

Q. Was having the negroes vote a ticket, understanding there was a mark on the back of it which would make it liable to be thrown out, a proper thing to do, if that was the fact?—A. Yes, sir; but the difficulty that occurred between Mr. Nelson and Colonel Jones was about scratching out one man's name and inserting another in its stead. That was what the difficulty occurred about.

Q. Probably Colonel Jones knows as much about the difficulty as you. Were you present when the difficulty occurred?—A. Yes, sir; and Colonel Jones told me personally about it. I advised him to be quiet and not have any disturbance.

Q. What did you tell him would happen if he did not get out of the meeting?—A. I did not tell him anything of any consequence at all.

Q. Do you not think it likely that he would have suffered some serious consequences?—A. If he had proceeded with Mr. Nelson there might have been. Nelson is a young man—a better man—and doubtless it would have been a serious difficulty between them.

Q. Did not Colonel Jones tell you that those marks on those scratched tickets made them liable to be thrown out?—A. Yes, sir; he said he wanted to show to the colored people that any marks on the tickets were illegal. That is just what he told me.

By Mr. SAULSBURY:

Q. The law of Mississippi does not prohibit the erasure of a name on a ticket and the interlineation of another name in its place, does it?—A. No, sir; I know that to be so.

Q. You understand that was the cause of the difficulty, that because of these erasures of names on the ticket and the interlineation of Democratic names, Colonel Jones objected to these tickets?—A. Yes, sir; that was the real cause of the difficulty to my mind; that is the way I understood it.

Q. Did you understand that he made any claim that there were any devices upon the heading or back of the ticket, or anything else objectionable except the erasure of names on the ticket and the insertion of other names?—A. He just said this, that any marks on the ticket were illegal, and he just wanted to show the colored people that it would be illegal if they did it.

By the CHAIRMAN:

Q. And there were marks, as you know, on the back of those tickets?—A. I do not know it.

Q. You understood so?—A. I did not say so.

Q. You understood there were marks on the back of those tickets?—A. No, sir; and if I did say it, I retract it. But I say positively I know there was a great deal of what we call scratching; that is, erasing one man's name and inserting another man's name.

Q. Were you not informed, either by Colonel Jones or by somebody (I am not speaking now of the scratching out of one man's name and putting in another; I am speaking of marks on the back of the ticket), that there were marks on the back of those scratched tickets?—A. I do not know anything about that.

Q. Were you not so told by anybody?—A. No, sir; I was not so told. Colonel Jones only hastily said to me that he wanted to show to the colored people that any marks on the ticket would be illegal. But the objection, according to my understanding of the difficulty between him and Mr. Nelson, was on account of the erasing of the name of one party and the placing in of the name of another. That was the question between him and Mr. Nelson.

JOHN S. DECELL sworn and examined.

By Mr. SAULSBURY:

Question. Did you ever hear a man named Joe Bondurant say that he and Frank Bufkin went to the house of a man named Ormon and shot off their guns?—Answer. I heard him say about this—I do not remember exactly the time, but it was somewhere about the election; it might have been a day or two after that it happened, he told me about it a week after the election—that he and Bufkin, one night at Mr. Bufkin's house, concluded they would have a little fun, and he said they took their pistols and went down to Ormon's, who lived two or three hundred yards from Mr. Bufkin's, and shot their pistols off, and Mr. Ormon ran up in the field, and he said the next morning he did not come up until after daylight, and then told them there were men came and shot into his house the night before. He said they only wanted a little fun, and did not mean to hurt him, or anything of the kind. That is the way he told it.

Q. Did Mr. Ormon run off when they shot their guns and come back the next morning?—A. Yes, sir; he said he staid down in the field, out in the swamp, that night.

By the CHAIRMAN:

Q. This conversation was a week or two after the election?—A. Yes, sir.

Q. The thing happened a few days after the election?—A. Yes, sir; it happened about the election; I do not remember, but I think that may be the day after the election; I am not certain of it, and will not swear to the exact time.

By Mr. SAULSBURY:

Q. Is Mr. Bondurant a Republican?—A. I think he is.

The CHAIRMAN. He has testified and stated he was. He has been on the stand.

JOHN FORE sworn and examined.

By Mr. JONAS:

Question. Where do you live?—Answer. I live in Lincoln County, Mississippi.

Q. Did you formerly live in Copiah County?—A. Yes, sir.

Q. Are you a native of that county?—A. Yes, sir.

Q. Are you connected with the Matthews family in any way?—A. I am a nephew of Gall Matthews and Print Matthews, by marriage.

Q. A nephew of their wives?—A. Yes, sir.

Q. Were you a deputy sheriff for Print Matthews when he held office?—A. At times, when I was living with him, I served as his deputy.

Q. You knew Mr. Print Matthews very intimately?—A. Yes, sir.

Q. You have been with him a good deal during election times?—A. Yes, sir.

Q. What was his character? Was he a peaceable or violent man in his disposition, as far as political matters were concerned?—A. I do not think he was.

Q. You do not think he was a peaceable man?—A. No, sir.

Q. Was he what you would call a violent man?—A. Yes, sir; I should say that he was.

Q. Was he in the habit of uttering threats against people with whom he was at political enmity?—A. Yes, sir.

Q. Was he an imprudent man in that way?—A. Yes, sir, very imprudent.

Q. Was he a man who was in the habit of cursing and denouncing his political opponents or other enemies?—A. Yes, sir; he was.

Q. Was he a man who was in the habit of going armed?—A. Yes, sir; he carried arms.

Q. Was he what you would call a determined and desperate man in case of personal quarrel or difficulty?—A. Yes, sir.

Q. Have you ever heard Print Matthews make any threats in case he or any of his family were hurt; and, if so, what?—A. Yes, sir; I have heard a good many threats that he had made.

Q. Mention some of them.—A. I have heard him abuse the Democrats and curse them.

Q. Did you hear him say that if any of his family were hurt he would kill Democrats, from the cradle up?—A. Yes, sir; I have.

Q. By way of vengeance?—A. I do not think he could have actually meant that, for he was a man that when he would get in a passion would go on and curse and swear right smartly. I heard him say those things in the presence of his family. I was at his house at the time. About the time that he said that he was fixing up a circular that he was proposing to put out; I think it was about Mr. Mayes and Mr. Frank Thompson and, may be, one or two others.

Q. What year was that; do you remember?—A. I do not know; I have not thought much about it. I think it was somewhere along about 1875. I do not know, but I have seen the circular.

Q. Was it the circular in which he attacked Ben King and others?—A. Yes, sir.

Q. Have you heard him make such remarks since then?—A. I do not know positively that I heard him make such remarks as that. I have heard him go on and curse and abuse the Democrats pretty severely.

Q. Would he curse and abuse individual Democrats?—A. Yes, sir.

Q. And do it sometimes to their faces?—A. Yes, sir.

Q. Was he in the habit of keeping many arms at home, do you know?—A. I have seen a good many there about his house—pistols.

Q. Not guns?—A. No, sir; I do not believe I have ever seen a shot-gun in his hands. He kept two pistols himself—Deringers—that he carried with him in his pants pocket all the time. I was with him a good deal, and boarded with him. I have seen him put them in his pocket; one in each pocket, and I have seen him with them often.

Q. Do you know the other brothers of Mr. Matthews?—A. Yes, sir.

Q. State whether or not they are men of the same character?—A. Yes, sir; they are of the same character; I do not believe that they are quite as dangerous as Print Matthews was. I have had difficulty with them all, but I consider Print Matthews worse than I do the rest.

Q. But you consider them all violent men?—A. Yes, sir.

Q. Were they all men who were in the habit of carrying arms?—A. Yes, sir.

Q. And men ready for a fight?—A. Yes, sir.

Q. Apt to quarrel with people?—A. Yes, sir.

Q. Did you have any difficulty with Gall Matthews?—A. Yes, sir.

Q. What was the cause of that difficulty?—A. We have had several difficulties. We had one right lately. We had one three years ago, and we have had a good many, off and on, all the time, for the last five or six years.

Q. Did you ever come to a personal collison?—A. Yes, sir; at one time we had a difficulty. I rented his brother's place and was farming there, and he wanted to come into the house. Mr. Allen was running for sheriff for Lincoln County, and he wanted to rent the house from me——

Q. Your house was just beyond the line in Lincoln County?—A. Yes, sir; so that he could be a candidate in that county; and I agreed to let him have the house at a certain price, and he would not give it; and the first thing I knew—I was there at work—he moved his things into the house, and just broke in and went into the house without ever getting it from me. I did not live on the place, I boarded about a mile away, at my brother in-law's place. And that night he turned his oxen in my field, my corn was about knee-high then, or half-knee-high, and the next morning I went over there and I asked the negroes if there had not been some cattle in the field, and they said there was not any in there. I said "There has been some in there, have there not?" About that time Mr. Gall Matthews, who was at the gate, said, "I turned my oxen in there." I was mad, and said to him that he had no business to turn them in there; and he said he got leave from the negroes. I said the place did not belong to the negroes, and a few words occurred, and he said "God damn you, you have said enough; get!" and he started towards me. I did not run, as he expected me to, and he turned around and started to his house and hallooed for his men. I stood there and said, "Get your gun, and come out and I will exchange a few shots with you, if that is what you want." He did not come out, and I dared him to come out, and I went on to my field to work, as usual. We never spoke from that time for six months; but I voted for him at the election.

Q. Was that the last difficulty you had with him?—A. No, sir; I met him three weeks after the election. We had several; we had one here right lately. We had a difficulty about three weeks after the election. I met him between Mrs. Mitchell's (I had been to Hazlehurst)—I met Gall Matthews and a freedman on the public road; he was going towards his home and I was going towards my home, between Mrs. Mitchell's and her son's, Jim Mitchell's. I did not intend

to stop, but he hailed me and asked me a few questions, and he said something to me in talking that I did not like. I won't state it unless it is necessary, what he said to me, and I told him about some things he had been doing. I told him I had hauled my cotton to his gin, and he stole my seed. I told him that he was a damned coward and thief, that everybody knew it in the neighborhood; that he had stolen my cotton-seed; that he had loaned me his wagon to haul my cotton to the gin, and would not loan it to me to haul it back, and I had to wait until I could get a wagon, and when I went for the seed they were thrown into a rail pen in front; he said they were in the way of his gin, and that I could get them there any time. When I got there after my seed he said the seed were in a little pile in the field. I started to go down and rake them up there, and he said, "If you will hold on I have a little more seed-cotton in the gin, and I will gin it or give you your seed." I said I preferred my seed, for I knew if I had to take the money I never could get it out of him. He owed me before, and I never could get it, and I preferred my seed. He never did gin the cotton or give me my seed, but he promised to pay for it, and I waited on him several times, and dunned him two years, and finally I just told him I was tired of dunning him, and did not expect to dun him any more, and wrote him a receipt and gave it to him, and he laughed and put it in his pocket the same as if I had given him a thousand dollars. I thought it would have insulted him, but it did not.

Q. Was he on good or bad terms with his neighbors?—A. He was on bad terms.

Q. He was a quarrelsome man?—A. Yes, sir; he frequently had difficulties with his neighbors.

Q. Did he ever make any charge or institute any prosecution against you?

The WITNESS. Gall Matthews?

Mr. JONAS. Yes.—A. No, sir,

Q. Did any of the Matthewses?—A. J. E. Matthews did.

Q. What was that?—A. In the spring of the year a freedman left Mr. Matthews' place and lived in a house close by me. A short time after he moved there he came and told me that he had heard that Ed. Matthews had said he would fill him full of buckshot if he didn't move back to his place. I says: "You need not pay any attention to that; Ed. Matthews will not fill you full of buckshot; he is just trying to scare you back." The old nigger was scared. He gave him until Saturday to go back, and that was, may be, the first of the week. I just told the nigger not to go; that he could not make him go back, and that he was not compelled to live on his land; that he was a free man and could stay where he pleased, and if he owed him anything to pay the debt. He took my advice, and I gave him a job of clearing some land to get him supplies to eat. He had nothing when he came to my house, and it was but a little while before G. E. Matthews and George Jones came, and Jones made out the affidavit, I believe, according to G. E. Matthews' instructions, against the old nigger for stealing, in one case, before Judge Bagot, a justice of the peace in Lincoln County. Then he made out another affidavit against the old nigger for getting goods upon false pretenses, before the mayor or some justice there—Frank Thomas, I think, in Beauregard. I do not know whether he was mayor of the town or not. The deputy sheriff came out to my house to arrest the nigger. I told the deputy that he could go back and rest assured that the nigger would be there the day of the trial, and I went on the old nigger's bond—or, at least, he took my word to bring him

down there. I reckon Matthews got scared, thinking he could not do anything with the nigger, and he came to me to fix it up. In order to relieve the old nigger, I told Ed. Matthews if he would withdraw his affidavit in both cases and pay the costs himself (he claimed $25 of the nigger, I believe), that I would see that he got the $25, and give him my note, provided he did not bother the nigger, and the nigger staid and worked it out, and I would pay it to him in preference to paying it to the nigger.

In a short time Gall Matthews came to my house to move the nigger off. I told Matthews when he came there that Ed. Matthews was looking to me to pay the $25, and not to bother him, and he said, "I am coming here, and I am going to move this nigger or die." I said I was going to keep him or die. He was armed—I was not—and he drew his pistol on me at the time and cocked it and threatened to kill me. I went on home and stated to my wife the trouble, that I did not want the nigger to move; he was owing me for grub I had advanced, and I didn't intend Gall Matthews should move him. She said, "Do not do it; let him take the nigger." In order to pacify her I never objected, and he moved the nigger to his house, and I notified Ed. Matthews to look to the nigger, as I did not feel responsible to pay the $25 when I didn't get anything. He waited until that note became due, and he sued me on the note, and I employed Bob Thompson to defend me. He said he would get me out of the case or not charge me a cent; he said it was not a just debt, and he would not pay it if he was me. I told him I hated to have a law suit for $25, but he said it was the principle of the thing. I told him to go ahead, and that I would rather give $25 than pay Mr. Matthews a nickel.

Q. What was the result of that suit?—A. I do not know whether that suit has ever been decided.

Q. What charge did he make against you after that?

The WITNESS. Ed. Matthews?

Mr. JONAS. Yes.—A. He did not make any; Ed. Matthews did not.

Q. Did he instigate a suit there—he and Gall Matthews—on a charge of burning a gin?—A. It was T. E. Matthews who did that.

Q. The one they called Ras. Matthews?—A. He made out an affidavit against me charging me with burning their gin.

Q. His and J. P. Matthews' gin?—A. His and M. A. Matthews' gin, I think it was.

Q. He charged you with burning it?—A. Yes, sir.

Q. What was the result of that prosecution?—A. They had me arrested; the officer came there and arrested me, and I had my trial before Judge Bagot, and he did not make any case out of it at all.

Q. It was dismissed?—A. Yes, sir; it was dismissed and I was discharged.

Q. The Matthewses, then, have not given you a very happy time of it?—A. No, sir; they have not.

Q. Yet, you are nephew of the wife's?—A. Yes, sir; and I always supported and voted for them when I was in the county of Copiah, and worked and electioneered for J. P. Matthews.

Q. Was not the burning of this gin the same burning that is charged to have been done on account of politics?—A. Yes, sir.

Q. Burnt for political causes?—A. That is what some said it was; that is what the Matthewses say, that it was the Democracy who burnt it.

Q. Did not your mother, a short time before the election, visit Print Matthews' house?—A. Yes, sir.

Q. State whether or not, on her return, she made any statement to you about guns that she saw at the house, and whether she heard for what purpose they were there?—A. She came from Hazlehurst; she is a sister to J. P. Matthews' wife, and was there on a visit just about the time, or a little while before the election; she came from Print Matthews' house to Gall Matthews' house, and staid a day or two and came over there to my house. While she was up there she said there were pretty warm times; she stated some things about Print's cursing, ripping, and snorting about the Democrats, and she said that Print Matthews' daughter was sick; that was Jessie, and she says that Jessie remarked to her, "Aunt Beckey, they are going to kill pa." "Oh, no, Jessie," she says, "they are not", she says, "they won't do it." She told her she was there sick, and they would not do it.

By the CHAIRMAN:

Q. That was the sick daughter?—A. Yes, sir; and she went on to state about there being a great many guns brought into Print Matthews' house and laid on her mother's bed—a pile of guns about that high [indicating].

By Mr. JONAS:

Q. This girl told your mother that?—A. Yes, sir.

Q. What else; she said that your mother saw those guns?—A. I do not remember whether she told me she saw the guns or not; she might have seen the guns. She told me she heard a message that Print Matthews told his boys Meredith and Suggs when they started to college, that if he was killed or hurt to get their shotguns and take to the woods.

Q. What did he mean by taking to the woods?—A. To get satisfaction, I reckon; until they got satisfaction; I believe that was it; to get their shotguns and take to the woods until they got satisfaction; I think that was about the language.

By the CHAIRMAN:

Q. Do you remember a conversation at Mr. Burnet's office that you had about Print Matthews when H. B. Mayes was present?

The WITNESS. That I had with Mr. Burnet?

The CHAIRMAN. Yes.

The WITNESS. No, sir; I do not think Mr. Burnet and I ever had any conversation at all.

Q. Were you not in his office?—A. I was in Mr. Mayes' office and Mr. Burnet was sitting there.

Q. Were you not once in Mr. Burnet's office when Mr. Mayes was sitting there?—A. I was in an office in Hazlehurst to see Mr. Mayes on some business.

Q. Where was the office?—A. Upstairs in a building on Front street, I think, on the west side of the railroad. I do not know if it was Mr. Mayes' office; maybe Mr. Mayes' office was there; but it was a good large office. I had no business with Mr. Burnet.

Q. Did you not see Mr. Burnet's sign on the door?—A. I never noticed.

Q. At any rate you were in an office where Mr. Mayes was sitting and Mr. Burnet was there?—A. Yes, sir.

Q. Did you have a conversation about Print Matthews?—A. No, sir; I did not have any conversation about Print Matthews.

Q. Did you not talk about him?—A. No, sir; I might have said something about that. I went over to see Mr. Mayes about a suit.

Q. Did you not say you had always voted for Mr. Matthews?—A. I do not remember at that time that I did.

Q. It is the fact that you always voted for him?—A. Yes, sir; I always did.

Q. Did you not say he was as fine an officer and as fine a man as there was in Copiah County?—A. Well, Print Matthews made a good sheriff, I thought; I supported him.

Q. Then you did say that he was as fine an officer as there was in Copiah County?—A. As far as I know.

Q. You said that. Now, were you complained of by anybody for burning or setting fire to a cotton-gin?

The WITNESS. When?

The CHAIRMAN. Ever.

The WITNESS. I was arrested here since the election and accused of burning a cotton-gin.

Q. Did not the grand jury afterwards find a bill against you?—A. No, sir.

Q. And then afterwards throw it out?—A. I do not know anything about that.

Q. You do not know that they did find a bill against you?—A. No, sir.

Q. You do not know anything about the matter being found by the grand jury?—A. No, sir.

Q. You were never informed of that?—A. No, sir; I never was. I was arrested and tried before Judge Bagot and was discharged, and I understood they went before the grand jury afterwards to get a bill against me, and the grand jury took no notice of it; that is the information I got.

Q. When the case was tried before Judge Bagot, was there not evidence that there were foot-prints found in the earth about the cotton-gin leading to your house; was there not such evidence?—A. There was evidence there that there was a track along the public road.

Q. And the track led to your house and lot, did it not?—A. No, sir; there was nothing about a lot.

Q. To your house, then?—A. To my house; yes, sir.

Q. Through a little field, was it?—A. There was a little patch right there by my house and a cow-pen.

Q. Were you not asked to have your foot measured, and did you not refuse?—A. No, sir; I did not refuse; at that time I did not refuse. My foot was measured, but I said, "You have no right to measure my foot." Bob Miller was the lawyer, and I said, "Measure your own foot, Bob Miller, for you had just as much to do with it as I did."

Q. Was he the district attorney?—A. He was Mr. Matthews' attorney.

Q. He is the man who is now district attorney in Copiah County?—A. He might have been in Copiah County; I do not know. It was Bob Miller. I do not know whether he is district attorney or not. I do not live in Copiah County now.

Q. You told them they had no business to measure your foot, and you told Mr. Miller to measure his own foot?—A. When he spoke about measuring my foot, I says, "I don't think you have any right to measure my foot; it might be, and it might not." I says, "You can measure your own foot; you had just as much to do with it as I did"; just that way.

Q. Was the weather pretty wet at that time?—A. It was raining Monday pretty well all day.

Q. The man's cotton-gin had been burned by somebody, had it not?—A. They claimed Sunday night the gin was burned.

Q. Was that after or before the election?—A. After the election.

Q. Did you ride around with these men that were riding about the county at any time before the election?—A. I did not.

Q. You were not in Copiah County before the election?—A. I was in Copiah County, in Hazlehurst.

Q. Who did you go with?—A. I went by myself.

Q. Did you go on horseback?—A. I did.

Q. Were you not in company with any other man on horseback?—A. No, sir; I do not think I was.

Q. Where were you for the five or six nights before the election?—A. I was at home.

Q. What time did you go home those nights before election?—A. I do not know that I left home.

Q. You were not away evenings?—A. I went away to Hazlehurst, but I do not remember about what time that was. That was to attend to the law-suit I had up there.

Q. What time did you get back at night?—A. I went up one day, and came back the next.

Q. Where were you on the night between those two days?—A. I staid at Judge Mayes', in Hazlehurst, one night; he is an uncle of mine by marriage. He was the man I had business with. That was one time I went to Hazlehurst; and another time I went to Hazlehurst I staid all night with Print Matthews.

Q. When was that?—A. That was before the election.

Q. How long before?—A. I believe I went to Hazlehurst three times.

Q. But the night you staid with Mr. Matthews?—A. I do not remember whether it was in September or not. Print Matthews had charge of a claim that belonged to my wife; it was transferred to him.

Q. A claim against whom?—A. The claim belonged to my wife; it was her property; she heired it. The claim was against the estate of Joel East. It was property that she heired from her grandfather.

Q. Did you borrow $100 of Print Matthews?—A. I did.

Q. When was that?—A. It might have been in 1870.

Q. Did you not borrow some money after that to finish your crop?—A. Yes, sir.

Q. How much?—A. Ten dollars. He was there in the summer; he came down after this claim.

Q. Did you not borrow some money of him last spring?—A. No, sir. The ten dollars I borrowed from him last year was in June, I think. I have got his letter.

Q. How much did you borrow then?—A Ten dollars. He was down at my house and had got this claim. Let me tell you how he got that claim——

Q. That is all I want to know. How old was this little girl?—A. She is about grown; I do not remember how old she is; she is of right good size. I might say she is twelve or fourteen years old, a good big girl, considered a young lady.

Q. What illness did she have; was she sick from a cold, or what?—A. She was lying down on her bed.

Q. How long did the sickness last?—A. I could not tell you.

Q. Several weeks; was it pretty serious?—A. I never heard when she was taken or when she got well.

Q. There is evidence she was sick on election day?—A. My mother

said she was sick when she was up there. I do not know when she was taken sick or how long she was sick.

Q. How long was it that your mother was up there before election?—A. I do not know precisely; it was before the election awhile.

Q. Two or three weeks before the election or only a day or two?—A. It was longer than a day or two.

Q. How long should you say in your best judgment?—A. It might have been two or three weeks.

Q. That your mother was there?—A. Yes, sir.

Q. And then the little girl was sick?—A. Yes, sir.

Q. And your mother told you that the little girl said as she lay in bed that they were going to kill her father?—A. Yes, sir.

Q. And your mother also told you that the father told the boys when they left to go to college that if he was killed they should take to the woods until they could get satisfaction?—Yes, sir.

By Mr. JONAS:

Q. You live in Lincoln County, do you not?—A. Yes, sir.

Q. You took no part in the political campaign in Copiah County last fall?—A. None whatever.

Q. Do you know whether for a short time before this gin was burned, when Mr. Matthews came down and advised your mother to take her cotton and seed from the gin, if she saw Mr. Matthews?—A. No, sir; that was not the gin; that was another gin that was burned up on the Matthews place.

Q. When was that burned?—A. That was burned some time ago; that was directly after the war.

Mr. JONAS. That is immaterial, then.

Mr. SAULSBURY. I desire now to have placed on the records of the committee a communication from Dr. A. B. Pitts, a witness who has testified before the committee, which I find published the next day in the Times-Democrat of this city, relating to his testimony in this case, which I will read:

A CORRECTION.

HAZLEHURST, MISS., *February* 20, 1884.

To the Editor of the Times-Democrat:

Please do me the justice to make a correction in your report of my evidence before the Senate committee yesterday. From your report one would naturally infer that there was a *casting* of lots by the posse referred to in order to determine who should kill Matthews. The facts are as follows: I told the committee that I did not remember the exact words used by Wheeler, but in substance this: "It fell to his lot to do what he did—that is, the *circumstances* were such that it fell upon him."

Please publish this in to-morrow's issue, since I am incorrectly represented.

Respectfully,

A. B. PITTS.

Mr. SAULSBURY. We have another witness, who is sick in bed and not able to be here; he has been in bed two or three days; it is the district attorney, Mr. Miller; we had him summoned here and intended to examine him, but he was taken sick and has been confined for two or three days to his bed, and I am informed that in all probability he will not be able to be before the committee at all. We have two or three other witnesses whom we have subpœnaed and whom we are expecting here on to-day's train. If they do not arrive in time for the adjournment I shall not ask the committee to wait, but we shall want to examine them if they arrive here in time. I believe, so far as I am informed, we have no other witness present at the examination this morning. Judge Cassidy, who is a partner of the attorney from Brookhaven, would

prove the same facts, but we do not think it necessary to put him on the stand.

W. W. GOWIN recalled.

By Mr. CAMERON:

Question. Are you a practicing lawyer at Hazlehurst?—Answer. I am.

Q. How long have you been engaged in practicing law at that place?—A. Since the middle of December, 1880.

Q. How many practicing lawyers were there in the county during the last year, in round numbers?—A. I would have to make something of a count to be able to tell you. Within the last year do you mean?

Q. Yes.—A. I would say between eighteen and twenty. Some of them do very little practice, some have retired and all that, but all are members of the bar.

Q. Will you look at that list and see whether all those named on it were practicing in the county during the last year [handing a list to the witness]?—A. (After looking at the paper.) I think so; that is my recollection.

Q. How many are included in that list as footed up?—A. There are 26 here. This is inaccurate, I think, in part. I see the name of Mr. Morrison twice. There is only one attorney in the county named Morrison of my acquaintance.

Q. Well, that is near enough; 25 or 26.—A. With that exception I think it is correct.

The following is the list referred to:

LIST OF ATTORNEYS IN COPIAH COUNTY, MISSISSIPPI.

HAZLEHURST.—J. S. Sexton, H. B. Mayes, jr., H. B. Mayes, sr., Bing. Harris, Geo. S. Dodds, Uriah Millsaps, J. W. Bailey, J. L. Meade, W. W. Gowin, Sim. Ramsey, J. W. Purser, R. N. Miller, Reuben Morrison, A. W. Burnet, J. B. Jones.

BEAUREGARD.—Ben. King, jr., L. O. Bridewell, Charles Hamilton.

CRYSTAL SPRINGS.—W. J. Willing, R. P. Willing, John T. Holt.

LOCAL COUNTY ATTORNEYS.—H. B. Ormond, ——— Catchings, ——— Hennington, ——— Sessions, ——— Morrison.

Total, 26.

Q. By whom are the inspectors of election in Mississippi appointed; I mean by what board or by what officers?—A. I do not know that I am exactly correct. I think I stated yesterday they were appointed by the State board, composed of the governor——

Q. You have the commissioners of election in your mind now; I mean the inspectors of election.

The WITNESS. For the State?

Mr. CAMERON. No; for each county.

The WITNESS. They are appointed by the respective boards of commissioners of the different counties.

Q. Do you know E. B. Wheeler of Hazlehurst?—A. Yes, sir.

Q. Will you state whether or not he was appointed an inspector of election at the east poll in Hazlehurst for the last election in that county?—A. He was appointed by the board of commissioners to that place.

Q. Did he serve, as you understand?—A. No, sir; he did not serve.

Q. Why did he not serve, as you understand it?—A. He was removed by the board of county commissioners.

Q. For what reason?—A. Because he was regarded by the board, under the circumstances, as being an improper man for the place.

Q. What circumstances induced the board to come to that conclusion?—A. Complaints that were raised by the ticket opposed to the Democratic ticket.

Q. What was the nature of those complaints?—A. It seemed to be founded upon the fact that he had taken an active part in some part of the canvass in the county, so much so that he was regarded, not by myself individually, but by some, an improper man, and for the sake of general harmony he was removed by the board.

Q. Will you state whether or not it was represented to the board of commissioners that Wheeler was one of this armed mob that has been spoken of and had been riding over the county with them?—A. It was not called by the name that you call it at all.

Q. Call it whatever you please.

Mr. FRYE. Call it a "procession."

The WITNESS. It was represented to the board, or to myself as one of the members of the board (and I think the whole board, was in session at the time), that he had taken an active part in that procession or whatever you may please to term it; that he had been with them and they deemed that it would be detrimental to a free ballot at the precinct. For that reason I, as one member of the board, voted to remove him and fill his place by another party, which was done.

Q. Did you hear any conversation between Mr. Burnet and Sheriff Hargrave immediately prior to the last election? To call your attention to the particular conversation I had in my mind, you can state whether or not you heard Mr. Burnet appeal to Sheriff Hargrave to suppress the riots and unlawful proceedings in the county or afford protection to Republicans whom he claimed had been threatened, or anything to that effect?—A. I do not remember anything of that kind.

Q. Did you hear a conversation between the sheriff and Mr. Burnet on Subat's corner (if that is the name) just before the election?—A. I do not remember that I did. I do not say that that conversation did not take place or that it did. There were so many conversations on different matters on that particular subject—I mean at different times and places and by different parties—that I do not remember.

Q. When did you last see Mr. J. P. Matthews alive?—A. Early in the morning of the 6th day of November, 1883; I believe that was election day.

Q. Where did you see him?—A. I saw him at the East Hazlehurst precinct, a building on the corner there near the town bridge, that I was having arranged for the purpose of holding an election in it on that day; he passed the door and spoke a few words.

Q. Did you have any conversation with him?—A. Nothing on that day, except just to pass a word or two.

Q. Well, the day before that, or within a few days before that, on Monday evening, did you have any conversation with him?—A. Yes, sir; I had a conversation with him on Monday.

Q. Go on and state the whole circumstance, and relate the conversation.—A. He sent some one—I do not remember who—for me to come over to his storehouse there in the town of Hazlehurst. I went over; he understood it the same as I did, that as commissioner of election I was under the law of our State a general conservator of the peace. We went to the back part of his store and sat down and talked a half an hour on the subject of elections, and keeping the peace, &c.; his request to me was to do what I could to see that general peace was preserved, and the right to vote was guaranteed to everyone, and all that kind of thing; I told him I would do so; he spoke of some sickness in his fam-

ily, and said he did not want any disturbance there; I told him I would use my best endeavors to prevent all of that. I do not remember all that passed between us there; there was considerable conversation at that time.

Q. You can state whether or not in that conversation you advised Mr. Matthews not to vote the next day?—A. No, sir; I did not advise him not to vote.

Q. What did you say about his voting, if anything?—A. I advised him to keep quiet, and to vote late in the day; that I thought it would be better for the sake of general harmony. It was part of my duty to try and preserve the peace generally.

Q. You may proceed.—A. That is all. I advised him to vote late in the day; that is, not to come out early, as was his usual habit.

Q. Why not?—A. Because I knew the temperament of the men, I thought.

Q. What danger, if any, did you apprehend?—A. None at all, unless he would be guilty of talking too much and too violently around, and that it might, under the general pressure, create some harshness towards him, by I did not know who—any one. I was fearful it might arise under the general status of everything in the county—the high excitement that has been testified to here. I thought this—this is the reason I advised him; that in case he did not say anything at that particular precinct (that was his voting precinct, East Hazlehurst), there would be no trouble, in case he did not turn out and perhaps say something that would induce trouble. Therefore I advised him to remain until late in the day, in order that the feeling and the excitement might be partially allayed, as I thought it would be, after a considerable portion of the vote had been polled; that he might come out with perfect safety, and then proceed to cast his ballot and canvass or do anything that he saw fit to do.

Q. After you went to his store on Monday evening, did he state to you the reason or reasons that induced him to send for you?—A. Yes, sir; I tried to explain that a moment ago.

Q. I did not understand the explanation.—A. He sent for me because of some general rumors, I suppose. It was pretty well understood that there was——

Q. What were those rumors that were pretty well understood?—A. I do not know that I could specify anything specially. It was kind of afloat in the atmosphere that there might be some trouble, and there was high excitement and he seemed to apprehend trouble, from what source I do not know. But he wanted to know if I could not preserve the peace. There was something said on that day about the canvassers in the western part of the county coming in, and he expected them there that day or in the evening.

Q. What do you mean by "canvassers"?—A. I mean what is termed by some that mob from the western part of the county; some rumor or word had come in in the morning that they would be in there on that day. It was about 12 o'clock when I was talking to him. He sent for me just before they came in, I think, with a view to requesting me to use my influence as a conservator of the peace as well as a commissioner to prevent any trouble. I thought that was why he sent for me; that seemed to be the gist of his conversation. I did go out and met some of the party who came in advance of the crowd that came in, and made a statement to them as to the condition of Mr. Matthews' family, and requested of them that they would behave properly, and so far as I know they did so.

Q. Did you hear Wheeler, after the killing of Matthews, say anything in regard to that event?—A. No, sir; I never heard him speak of it at all.

By the CHAIRMAN:

Q. Did you have a conversation with Mr. Burnet, who was present with Mr. Hogg, on the stairs here a few minutes or a short time ago?—A. I spoke with Mr. Burnet this morning down at the front entrance.

Q. Did you not tell Mr. Burnet then of his calling upon Mr. Hargrave?—A. I do not remember that I did.

Q. But this was an hour ago.—A. I do not remember that I did. We were talking there some.

Q. Did you not tell Mr. Burnet that you advised Mr. Matthews not to vote until late in the day for his personal safety?—A. I believe I did; that is what I have undertaken to explain to the committee a moment ago.

Q. I want to put it in that pointed form so as to bring you to that particular phrase that you had not put in before. Did you not also state in the presence of Mr. Hogg that you heard Mr. Burnet appeal to Mr. Hargrave on Subat's corner that evening for protection?

The WITNESS. Protection of whom?

The CHAIRMAN. Protection of himself.

The WITNESS. No, sir; I do not think I said that.

Q. Or protection of other people?—A. I do not remember to have said that.

Q. Did you see Mr. Burnet and Mr. Hargrave on Subat's corner?—A. I do not think I did; I do not have any recollection of seeing him there. It occurs to me that Mr. Burnet was for some time before the election disabled, and whether he was out to any extent before the election day or not, I cannot say, but I don't remember to have seen him. That Mr. Matthews appealed to the sheriff for protection or made some affidavits, I heard of all that, and perhaps if he spoke of it this morning and I made any reply, it was in that connection.

Mr. SAULSBURY. I would like to recall two or three of our witnesses for a single question I failed to ask of them.

J. S. SEXTON recalled.

By Mr. SAULSBURY:

Question. You said that you took an active part in the last canvass, I believe?—Answer. Yes, sir; I think I took an active part in it.

Q. You were generally acquainted with the purposes and designs of the Democratic party of that county, were you?—A. As much so, I suppose, as any man in the county.

Q. Did you ever know of or hear of any rumor, purpose, or intention on the part of Erastus Wheeler or of any person else to commit violence or take the life of J. P. Matthews?—A. Not one line or syllable.

Q. Do you, from your knowledge of the people, mingling with them, believe there was any conspiracy on the part of Wheeler with any personelse in the county for the purpose of taking his life?—A. I have no idea that there was, and I have so expressed myself a hundred times in reference to it.

By Mr. CAMERON:

Q. I will ask you if you have heard how the gun with which Wheeler killed Mr. Matthews was brought into the room where the killing occurred?—A. No, sir; I have heard one or two reports about guns. I

heard that Mr. Morrison had a gun after the killing, and I have heard some talk of guns there, but I never have known, and never heard anyone say, how that gun was brought there or when it was brought there. I do not know anything about that. I was at work in my office on this Cook case——

Q. Of course I did not suppose you knew how it was brought there.—A. I was going to make an explanation. I was working in my office on the Cook case——

The CHAIRMAN. It is hardly worth while to make that explanation, unless it is something that is necessary.

The WITNESS. It is not necessary, perhaps. I just wanted to add that I was perfectly astonished when I heard of it. I never dreamed of Mr. Matthews being killed.

H. C. CONN recalled.

By Mr. SAULSBURY:

Question. Did you take a pretty active part in the last campaign in your county?—Answer. No, sir; I did not take an active part in this canvass. I only made, I believe, one speech, and that was at Crystal Springs.

Q. You lived in Hazlehurst, however, and went about there?—A. Yes, sir; I was there.

Q. Did you, as a Democrat, ever hear of any purpose or intention on the part of Mr. Wheeler or of any person else to take the life of Mr. J. P. Matthews?—A. No, sir.

Q. Do you believe, from your knowledge of the people of that locality, that there was any conspiracy or formed purpose or conviction on the part of any persons with Wheeler to take the life of Mr. Matthews?—A. I do not think there was. I know that I did not know that he was killed until I reckon an hour afterwards, when Judge Peyton came up in my office, and told me about it, and Mr. Matthews voted at the same box that I voted at, and the same box that Mr. Sexton voted at also.

By the CHAIRMAN:

Q. What did you suppose would happen to him if he did not comply with that resolution?—A. I had not heard anything of the resolution.

Q. Had you not heard of the resolution directing him to absent himself from the polls?—A. No, sir.

Q. Nor of the anonymous letter signed "150"?—A. It seems to me I had heard something about an anonymous letter signed "150," but I never had seen such a letter, or heard anything definite about it.

H. H. HOGG sworn and examined.

By Mr. FRYE:

Question. Where do you live?—Answer. In Hazlehurst, Copiah County, Mississippi.

Q. What is your business?—A. Merchandizing.

Q. What is your politics?—A. Up to four years ago I have always been a Democrat; since that time I have been voting the Independent ticket.

Q. Where were you on November 5, 1883, the day before the election?—A. At Hazlehurst.

Q. What did you see going on that day?

The WITNESS. What do you have reference to?

Mr. FRYE. About mobs.

A. I saw a body of armed men in our town.

Q. Mounted?—A. Yes, sir.

Q. Armed with what?—A. Double-barreled shotguns.

Q. How many do you think?—A. I counted 124 as they passed my corner.

Q. How many guns do you suppose there were?—A. I suppose about 75.

Q. Was there any excitement in Hazlehurst that day when these men were there?—A. Yes, sir; a good deal.

Q. Did you hear the cannon shooting much that day?—A. Yes, sir; I did.

Q. How did you first learn that the mob was coming into Hazlehurst?—A. A couple of young ladies came running into my house, and asked if I had heard of anybody's marching into Hazlehurst. It was Miss Fannie Nesmith and her niece.

Q. Did you hear any threats made that day?—A. No, sir; I do not know that I did. I heard of threats.

Q. What did you hear of threats?—A. I heard that evening that they had sent a note to Mr. J. P. Matthews that he must not vote, or something to that amount, and if he did he would lay himself liable to be killed.

Q. Did you hear any of the Democratic candidates say how they intended to carry that election?—A. I did. Mr. Cas. Rines, who was in my house a few nights before the election talking to Bob Middleton and me, in his conversation he said how they aimed to carry the election. He said they aimed to carry it by stuffing the ballot-boxes if they could, and, if not, to carry it by bulldozing. Mr. Middleton said, "You ought not to talk that way." He said it would not do for the Independents to get into power. Mr. Middleton asked him why, and he said if they did they never would be removed in the world, or something of that kind. That was about the conversation they had in my store—that if they got into power they would never be routed out, and he went on in that conversation to tell how they expected to carry the election.

Q. Did you hear any of them say that Mr. Matthews should not hold office again in the county?—A. I did.

Q. Who?—A. I heard Captain Birdsong say it was the feeling in the county that the Matthews influence should not hold office any more.

Q. Did he say how it should be prevented?—A. He said the people of Copiah County had just made up their minds that the Matthews influence should not hold office in that county any more.

Q. Where were you on November 6?—A. In Hazlehurst.

Q. Did you see any armed men that day?—A. I did.

Q. How many?

The WITNESS. Do you mean all during that day?

Mr. FRYE. Yes.

The WITNESS. I suppose I saw 250 or 300 armed men.

Q. Armed with guns?—A. They were.

Q. Democrats?—A. Yes, sir.

Q. Where were you when Mr. Matthews was killed?—A. Within about 8 feet of the door.

Q. He being killed inside?—A. A lot of us had agreed to vote early and go out bird-hunting. There were 65 or 75 negroes standing in the front in the drizzling rain. It was about the time for the polls to open; and Mr. McGinnis, who had been trading with me and had been working with Mr. Storms, promised to pay me his account when he got through

with his work, and he met me about 8 feet from the door and from where Mr. Matthews was killed inside of the house.

Q. It was rumored that Jim McGinnis was going to testify that he was in the building when Mr. Matthews was shot, and that he saw Mr. Matthews raise a pistol against Ras Wheeler?—A. Mr. McGinnis, when that gun fired, was shaking hands with me, and Frank Morrison walked to the door, within 8 feet of me, to open the door of the polls.

Q. So that McGinnis was not inside of the building?—A. No, sir; he was not.

Q. After the gun was fired, what did McGinnis do?—A. He jumped in back of the door and drew his pistol, and said that the ball had opened, and if he had any friends, let them come now and protect him.

Q. Is McGinnis a Democrat?—A. Yes, sir.

Q. Do you think he knew what had happened when that gun went off?—A. Yes, sir; I do.

Q. That Matthews was killed?—A. I think he knew what had happened from his actions. I was unconscious of it.

Q. Was there much excitement in Hazlehurst the day Mr. Matthews was killed?—A. Yes, sir; women and children running all over the streets, hunting up their brothers and children.

Q. Who was the first man you saw with a gun on that day?—A. The first man I saw was Mr. Rube Morrison. He passed my house that morning with a double barreled shotgun in his hand. I was sitting on my porch, reading the newspaper, and he went across to the hotel corner.

Q. Is he a Democrat?—A. Yes, sir.

Q. A Democratic lawyer?—A. Yes, sir.

Q. How long have you known J. P. Matthews?—A. I have known him seventeen or eighteen years.

Q. Have you known him well?—A. I have.

Q. How long have you lived in that community?—A. I have lived in that county since 1867, I think.

Q. You are a Mississippian?—A. No, sir; I was born and raised in Alabama.

Q. Were you a Confederate?—A. Yes, sir.

Q. In the army?—A. Yes, sir; I was in the army.

Q. What kind of a man was J. P. Matthews in that community?—A. He was always looked upon, outside of his politics, as one of our best citizens.

Q. Peaceable?—A. As peaceable a man as I ever saw.

Q. Charitable?—A. As much so or more so than anybody.

Q. Loved by the people?—A. Yes, sir; outside of his politics I do not suppose they could point any harm on earth to him.

Q. What kind of a man was Leon, and these other brothers of Mr. Matthews?—A. So far as I know, they are peaceable, quiet, generous, and open-hearted men.

Q. Was J. P. Matthews kind-hearted?—A. He was, if there was a kind-hearted man in our county.

Q. Were you ever a member of the board of supervisors of the county?—A. I was.

Q. When?—A. Four years ago.

Q. That was the time that some of the witnesses have testified that they were afraid that J. P. Matthews controlled and had the grand jurors appointed; did Mr. Matthews ever tell you who to appoint on the grand jury?—A. Never.

Q. Did he ever interfere with the performance of your duties in any way?—A. He never did.

Q. Did he ever try to control the board of supervisors while you were a member?—A. Never in any form, shape, or fashion, except on one occasion in regard to a road that he and Mr. Thompson had a controversy about, and Mr. Matthews came and talked with me about it. I appointed one or two grand jurors on the jury, one a Mr. Berry, a poisoned Democrat, and a bitter enemy of Mr. Matthews, and Mr. Matthews was mad with me for a couple of months about that; he said that he thought I did it for some purpose; but I did not. I did it through the influence of Ben. Martin, who had a fine house burned up in his neighborhood, and Mr. Martin asked me to put Mr. Berry on the grand jury from the fact that he lived in the same neighborhood, and he thought he could sift out who burned the house.

Q. Was Ben Martin a Democrat?—A. Yes, sir; a poisoned one, and so was Mr. Berry. With that exception I do not remember that Mr. Matthews ever talked to me or asked me how I was going to vote on the board. He came to me when his brother had this controversy with Mr. Thompson about a road and talked to me, but my vote shows that I voted against Mr. Matthews' resolution.

Q. Did the negroes seem much frightened at this last election in your county?—A. Yes, sir; they did.

Q. How is it as to numbers between white and black in your county?—A. They are considered about equal.

Q. Has there been an increase of the white vote to the Independents recently?—A. Yes, sir; a large increase.

Q. How many white Independents do you think there were on the day before the last election in your county?—A. I think there were about 800. I get that from a speech that Mr. Miller, the district attorney, made there. I did not hear the speech, but he told them there were betwixt 700 and 800 white Independents there.

Q. He was the Democratic candidate?—A. Yes, sir.

Q. If there had been no bulldozing at that election, in your judgment, how would it have gone?—A. I think it would have gone maybe from 650 to 700 Independent.

Q. That is, majority?—A. Yes, sir.

Q. What made you think so?—A. I speak this from the information I got from Messrs. Miller and Guynes. Both are members of the legislature.

Q. Both Democrats?—A. Yes, sir.

Q. And both candidates at that time?—A. Yes, sir; both came and talked to me about the election before the election, and asked me for my influence, and I asked Mr. Miller in that conversation how the thing was going, and he told me if things passed off peaceably the Independents would carry the county by 500 or 600. Mr. Guynes was in my house a few nights before the election, and in a conversation I asked him how he thought the thing was going to pass off, and he said he was a little uneasy; that he thought the Independents were going to carry the county by a large majority.

Q. Where did you vote?—A. At Hazlehurst, east.

Q. How did the vote stand there?—A. I think about 18 Independent votes and 170 and some odd Democratic votes.

Q. What is the real division between the parties there?—A. The year I was elected I led that box by 86 majority as an Independent.

Q. Was that the last election before this?—A. It was 74 majority, I

think, in that last election—74 Independent majority. I am not certain, but I think about that.

Q. Did you attend any of the conventions?—A. I attended no speakings or conventions, except one.

Q. What was that?—A. That was a convention held there for the purpose of bringing out candidates for our town election.

Q. A convention of Independents?—A. No, sir; a convention of the Democrats.

Q. What was the result of that convention?—A. I was asked by some of my friends to go up and help them there, and I went up. It was a convention to bring out candidates to defeat the Independent move, I think. Directly after I got into the convention I was soon ruled out.

Q. Who was chairman?—A. Captain Burch.

Q. You were ruled out of the convention?—A. Yes, sir; Captain Burch got up and said he would not have anything to do with it if any Independent or Republican was allowed to vote in the convention.

Q. That convention was held for the purpose of selecting or soliciting for town officers?—A. It was held for selecting town officers. That is the only convention or speaking I attended in the canvass, and I was asked by my friends to go and attend that committee.

Q. Do you know A. W. Burnet, this gentleman here?—A. I do.

Q. How long have you known him?—A. About sixteen or seventeen years.

Q. You have known his family?—A. Yes, sir.

Q. What kind of a family is it in Mississippi?—A. His family live in Hinds County, and it is looked upon as one of the best families of Hinds County; I never heard anything to the contrary.

Q. How about Burnet himself?—A. I never heard anything against him until this came up.

Q. Is he moral in his habits?—A. He boarded with me three months at my hotel, and was spoken of as a well-behaved man. I never heard of his being accused of anything wrong.

Q. Did you ever hear his integrity called into question until this trial took place?—A. Never in my life.

By Mr. JONAS:

Q. What is your business?—A. I am in the family grocery business.

Q. Have you not for several years past kept a saloon in Hazlehurst?—A. No, sir; not for several years past.

Q. Well, how long ago?—A. I was burned out there three or four years ago.

Q. Up to that time you kept a saloon?—A. Yes, sir.

Q. Have you not been frequently indicted for keeping a saloon there without a license?—A. No, sir; never but two indictments.

Q. You paid $150 fine, did you not?—A. I compromised those two indictments.

Q. Are you sure there were only two indictments for selling liquor without a license?—A. That is all.

Q. Do you sell liquor now?—A. No, sir.

Q. You are satisfied you have never been indicted but twice for selling liquor without a license?—A. I was indicted once for selling liquor to a minor or young clerk, and that was compromised; they withdrew that indictment.

Q. Therefore, you have been indicted three times?—A. No, sir; only twice.

Q. One for selling liquor to a minor, and the other two you paid $150 fine?—A. Yes, sir.

Q. You say Mr. Miller and Mr. Guynes both told you that they expected their ticket would be beaten largely?—A. Yes, sir.

Q. Did they not know you to be an Independent?—A. Yes, sir.

Q. Why should they make you their confidant and tell you that?—A. They wanted my influence and talked to me.

Q. Didn't they both feel quite confident of being elected themselves?—A. No, sir.

Q. They told you they expected to be beaten by 700 to 800 votes?—A. No, sir; they did not. They told me if they got through themselves it would be a squeeze, but they remarked to me that the balance of the ticket would be badly defeated.

By Mr. SAULSBURY:

Q. You heard Mr. Rines say that if they failed to carry the election by stuffing the ballot-boxes they were going to do it by bulldozing?—A. Yes, sir; I did; and Bob Middleton heard the same conversation.

Q. Stuffing ballot-boxes occurs on the day of election, doesn't it?—A. I think so.

Q. How is it, if they did not succeed on election day, that they were then going to bulldozing to carry the election?—A. That is a question I could not answer, because I do not know.

Q. It seemed to me singular, and that is the reason I called your attention to it.—A. It is a plain open and shut fact. There is a good witness here, a minister of the Gospel, if you doubt my testimony, who will swear to it. I am just giving it to you just as it occurred.

Q. The language was that if they did not succeed in carrying the election by stuffing ballot-boxes they were going to carry it by bulldozing?—A. He remarked to me that they aimed to carry the election, and Mr. Middleton asked him how they aimed to carry it, and he told him that, and Mr. Middleton told him he ought to be ashamed; that he went to school to him.

By Mr. CAMERON:

Q. I will ask you if E. D. Wheeler was not a candidate for mayor before the convention you have spoken of?—A. Yes, sir.

Q. State whether or not he was a prominent candidate and what was said in his support.—A. E. B. Wheeler is the cause of my being in the convention. I had always been a friend to the Wheelers all my life, and been with them a good deal, and Mr. Wheeler asked me to go to that convention and give him my support that night. It was to draw out candidates for the election, and at his solicitation I went, and after I got there this thing came up, and Captain Burch said if there was any Independent allowed to vote in that convention he would not sit as chairman.

Q. What was said, if anything, in support of Mr. Wheeler as candidate of the convention?—A. Nothing, then; the question had not come up and that night they did nothing.

By Mr. JONAS:

Q. You went there to support Mr. Wheeler, did you?—A. Yes, sir.

Q. That was after the killing of Mr. Matthews?—A. No, sir; before the killing. Mr. Wheeler was appointed marshal after the killing, and this convention was held before the State election.

Mr. FRYE. I desire to say, and the stenographer may take it down, that a request has been made to me (and I want people here to hear it),

to subpœna quite a number of other witnesses, with the statement that they desire them subpœnaed in order to give rebutting evidence to the testimony which has last been put in (if there are any sides to it) by the Democratic side. I have stated to these gentlemen that in my judgment, this not being a trial at law, the committee can make up their minds without any difficulty from the testimony already in, and that in my judgment it is not proper to delay the committee or to put the Government to any more expense for the purposes named, and I have declined to subpœna those witnesses. I wanted these parties to understand it; and that the only witnesses that will be put upon the stand will probably be a gentleman who is here in town, perhaps Mr. Burnet, about certain points, and Mr. Leon Matthews, about one or two points, not undertaking at all to go over the testimony which has been put in.

I also want to put in one or two extracts from another Democratic paper, the Port Gibson News of the issue of November 2, 1882—Port Gibson being in Claiborne County, an adjoining county of Copiah—as follows:

It is rumored that Claiborne County has an Independent ticket in the field, composed of some heretofore stalwart Democrats. We think, however, that she is safe. —*New Mississippian.*

This is the comment of the paper:

You may just bet that she is safe. The Claiborne County Democracy don't intend to have any foolishness about her political machinery. She runs it to suit herself, and we believe the other side is fully aware of this fact.

The second article from the same paper is this:

THE PRESENT CANVASS.

Within the last few days the political affairs of Claiborne County have taken a desperate shape, so much so as to awaken the Democracy to the necessity of a perfect concert of action, which they fell into without any trouble whatever. The times of 1875 are as fresh on the memory of every citizen of Claiborne as if the victory they achieved was only yesterday, and to-day are so imbued with that spirit that the Democratic party of this county do not intend that a set of bolters shall wrench from them that which belongs to the white people of this country. The government of Claiborne County has been in the hands of the white people ever since the downfall of the Radical party in 1875, and they expect to keep it. It is ours, and if we can't carry the election next Tuesday one way, we can another, and this is what we want to impress upon a set of men that do not represent a legitimate party. When men who we have reared to our standard of doing things turn their backs on us and exercise their learning against us, we feel very much warranted in saying that there is no limit to the manner in which they should be dealt with.

A. W. BURNET recalled.

By Mr. FRYE:

Question. You have been charged by witnesses here with being wanting in integrity on account of one or two interviews published in the National Republican. How many interviews did you have with any interviewer from the National Republican, published at Washington?—Answer. I had one.

Q. Only one?—A. Only one.

Q. Is that interview here?—A. Yes, sir; Mr. Barrett, the clerk, has it.

Q. Is this the interview you refer to [handing witness an extract from the newspaper of December 29]?—A. Yes, sir; that is it.

Q. Did you read that interview after it was published in the newspaper?—A. I did.

Q. Is there anything which you desire to correct in it?—A. There was a small mistake or so; it did not amount to much.

Q. The general statements made in that interview then you stand by now?—A. Yes, sir; I stand by the general statements made in that interview. I can state what I considered incorrect at the time.

Q. You may state that.—A. I told the reporter of this paper that I considered Major Barksdale, the editor of the Clarion, was responsible for many of the crimes perpetrated in 1875, and as an editor his paper was filled with violent and inflammatory articles; that he did justify the murder of Dickson; that he did justify the Chisholm massacre; and that he had done more to inaugurate a system of fraud and violence in the elections than any man, I thought, in the State. In that conversation I alluded to some of the outrages perpetrated in 1875; to the murder of Mahaffey, and I told him I thought that papers such as Major Barksdale's had induced to that extreme act of dragging that man out of his bed and murdering him.

Q. That is, you stated it to the interviewer?—A. Yes, sir.

Q. Has he made any mistake about it?—A. He says that I said that Major Barksdale was the entire cause of it. I said that he as editor had caused it. Another mistake was, I told him that taking the bar at Hazlehurst I had more cases, involving more money, than any other one single attorney at that bar, and I stand by that yet.

Mr. FRYE. I would like to have that interview appear in the record.

The interview referred to is as follows:

[From the National Republican, Saturday, December 29, 1883.]

EXPATRIATED.—THE ONLY REPUBLICAN LAWYER OF HAZLEHURST IS DRIVEN INTO EXILE.—THE WARNING, "SOMEBODY HAD BETTER GET AWAY FROM HERE."—SHOTGUNS AND ETHEL BARKSDALE RAPIDLY DEPOPULATING MISSISSIPPI.—THE TRUE STORY OF THE MATTHEWS MASSACRE.—THE BLOODY PRELUDE.

"It's the first time I ever ran away from any man or set of men," said Mr. A. W. Burnett, "but I had to go. They have driven me out. I wouldn't go back to Copiah County if they would give it to me."

Mr. Burnett was formerly of Hazlehurst, Miss. He is now of nowhere. He has no home. The Bourbons of Hazlehurst have robbed him of home, business, and property. He is now in Washington, but expects soon to settle somewhere in the North, where his life and his property, when he has again accumulated some, may be tolerably safe. Mr. Burnett is 30 years old, a lawyer by profession, and a man of intelligence and education. No man who talks with him will believe him to be either liar or coward. He talks most and seems most interested in the murder of his friend, "Print" Matthews, but as a bourbon bullet went clean through his own body less than two months ago, it may be inferred that his personal experience of Mississippi political methods are interesting. He was asked yesterday to give some account of the events immediately preceding the murder of Matthews.

"There had been an absolute reign of terror," said he, "in some parts of Copiah County for some time before the election. The mob which came into Hazlehurst to kill Matthews had been riding through beat 3 for a week,"

"What do you mean by beat 3?"

"The counties down there are divided into beats, five beats to the county, and they elect the board of five supervisors, who select the grand jury, and exercise police supervision over the county. Beat 3 was a strong Republican beat. Tom Wallace was a negro farmer there, who had saved money and bought his own place. That mob went to his house between 1 and 2 o'clock in the morning, pulled him out of bed and shot and killed him. His wife was clinging to him, and they shot her through the shoulder. They shot Frank Hayes in the leg and his wife in the neck. They took Handy Fortner out of bed and whipped him with a grass cord, six doubled, until, I give you my word, there was not a place on his body as big as my hand that was not covered with welts. He swore positively that Frank Thompson, Joel East, and Marion McCree were in the mob that whipped him. On his affidavit warrants were issued for the arrest of those men and given to Sheriff Hargreaves to serve, but he has never served or returned them. Warrants were also issued for J. W. Bailey, Reuben Morrison, Joe Purser, all young lawyers there; for E. B. Wheeler, the leader of the mob, a butcher, and the man who, after he had murdered 'Print' Matthews, was promoted by the Hazlehurst people to be their marshal; for Emmett Spencer, a farmer; for T. F. Wolf, the candidate for chancery clerk, who was elected by these

same shotguns, and who, before that, was a lounger around the town, having no particular business, but picking up odd jobs, and for a good many others; but those men were never arrested, and the warrants have never been returned. There were about one hundred and fifty men in the mob, of which these men were a part. They had been riding through beat 3, shooting and whipping. The women and children had been driven into the woods. Matthews went to Wharton, the circuit judge, and appealed to him to do something to stop the murdering, but he got no satisfaction. Matthews and I went to Sheriff Hargreaves and demanded protection for these people and the arrest of the leaders of the mob. The sheriff said he could do nothing without affidavits. The sheriff had seen these things himself and knew all about them, and Matthews told him so; but he would do nothing."

"Did you ask for outside aid?"

"I, as chairman of the executive committee, sent Print Matthews to Jackson to see Governor Lowery. He told the governor that people were being murdered in Copiah County; that the women and children had been driven from their homes, and had no other shelter than the woods and the canopy of heaven. Governor Lowery told him that the sheriff of that county was the peace officer, and he must look to him for protection. He would do nothing. Yet Governor Lowery took this pretext to send forty shotguns and two hundred rounds of ammunition to Hazlehurst to be put into the hands of the mob. Governor Lowery himself was a part of the plot to kill Matthews. He knew that Matthews was one of the men who induced a candidate to come out against Lowery, who was really defeated, but was stuffed in by that Southern method."

"Has there ever been a correct account of the murder of Matthews published?"

"They have been partially correct, but I know more of the facts than have ever been published. This mob of one hundred and fifty armed men came to the town of Hazlehurst about 10 o'clock Monday morning, November 5, the day before the election. About a mile from the town they were met by T. J. Hargreaves, the sheriff of the county, and J. L. Mead, the chairman of the Democratic executive committee, who rode back at the head of the mob by the side of its captain, E. B. Wheeler. When they reached the town they paraded the principal streets, yelling and flourishing shotguns, and shooting pistols, to the terror of women and children. They marched down South street, on the west side of the railroad, in front of the residence of J. P. Matthews, where he and his wife and children were seated on the gallery. As they passed the house one and another of the mob yelled, 'Somebody had better get away from here!' Then they went to the court-house, where Congressman Ethel Barksdale talked to them for an hour in an encouraging speech, in which he spoke no word in condemnation of their lawlessness. Then the order was given to mount, and they marched back to Matthews' house, and first one and then another shouted, 'Somebody had better get away from here!' A couple of hundred yards from his residence, and directly in front of his store, they stopped and passed a resolution. Matthews handed me that resolution at 4 o'clock that afternoon. This is it:

"*Resolved*, That J. P. Matthews leave the town of Hazlehurst for forty-eight hours, and if his daughter is too sick for him to leave home, then in that case he must not be seen on the streets of Hazlehurst to-morrow, must not electioneer, and *must not vote*.

"E. B. WHEELER, *Captain*.

"NOVEMBER 5, 1883."

"The mob appointed John McLemore to deliver the resolution to Matthews, which he did. Matthews sent back a verbal message by McLemore that he had bought and paid for his property; that the constitution and the laws guaranteed him the enjoyment of it, and also the right to vote. He said he expected to stay with his family and to vote unless he was murdered. I was not far away when McLemore brought back the message. E. B. Wheeler, with J. L. Mead by his side, gave the order, 'File left, march.' They marched out of Hazlehurst to the west about a mile. Then they halted, and a vote was taken as to who should kill 'Print' Matthews. The lot fell to E. B. Wheeler."

"Do you know that they voted on that subject?"

"I do. I know it from several people, and from Wheeler's own words. The first account of the murder which reached Hazlehurst was in the Times-Democrat. It was there stated that there was an old grudge between Wheeler and Matthews. Wheeler and a friend of his were reading the account together. 'That isn't true, is it Ras?' asked the friend. 'It's all a d—d lie,' said Wheeler. 'There was no grudge between us. It fell to me to do it, that's all.'"

"Did Wheeler ever make any excuse for the shooting?"

"Not a word. I can give you the story of the shooting in his own words. He says that when Matthews came into the polling place that morning he said to him (Wheeler): 'Well, good morning, Ras. What do you know?' Wheeler said he knew of nothing,

and then he asked him: 'Print, are you going to vote?' Print said, 'Yes,' and Wheeler said: 'Print, I wouldn't vote.' Print smiled and replied: 'I prize my right to vote very highly, and feel that I owe it to my country.' Then he stepped up to the ballot box and gave Inspector Coxwell his ticket. 'I then took the shotgun,' said Wheeler, 'which was concealed in a dry-goods box, and, cocking both barrels, leveled it on him. Just as I pulled the trigger he threw his eyes on me and put his right hand to his side. He had no pistol in his hand so far as I saw.' That is Wheeler's own account of the affair."

"Did Wheeler tell it to you?"

"No; but he has told it to at least a dozen men. One of them said to him after he had heard it: 'Ras, there's more room for you in Texas than there is in Copiah.' I don't want to give you the names of the men who told me, for I don't want to imperil their lives. They are still there. Whenever there is a grand jury there which is not made up of that very mob, I will give you the names of those men, but it wouldn't do now."

Mr. Burnett could not speak of the murder of his friend without some evidences of excitement and emotion. "There were men there who call themselves Christians," said he. "When Mrs. Matthews and her daughter came to weep over the body of the dead husband and father; when Mrs. Matthews cried pitifully, 'My God, my God, how was it done? Oh, God, was it necessary to murder my poor husband?' what did these men do? They wheeled a cannon into the street, in front of the house where Matthews' body lay, and fired a salute. They brought a brass band to play martial music in front of the house, and they said, 'We have destroyed the Republican party in Copiah. We have killed their ablest and most potent leader.' That was the answer they gave to the moans of the widow and orphan."

"What sort of a man was Matthews?"

"There was absolutely no stain upon his record as a citizen or office holder. He was about 45 years old, a merchant, a heavy land owner, and speculator. He was one of the wealthiest men there and one of the most powerful. He had a tremendous amount of moral courage. He was the most influential man among the negroes that there was in Mississippi. As some of the papers have said, the negroes thought when Matthews spoke to them that it was the voice of Abraham Lincoln speaking from the grave. It was not only over negroes that he had influence, but also over white men. His house was open to everybody who wanted food or shelter, and nobody ever came to him to borrow a dollar and went away empty handed. I suppose nobody in Mississippi had more friends. The very day that Wheeler shot him, there was an entry on his books of goods that Wheeler had bought two weeks before on credit at Matthew's store. All that the Bourbons ever had to say against Matthews was that he was too powerful. Wheeler has since said that Matthews was as true a friend as ever he had, and one who had aided him when in trouble and done him innumerable favors."

"Why did they shoot you and drive you out of Hazlehurst, Mr. Burnett?"

"I was the only Republican lawyer there; was getting most of the business, and was the chairman of the Republican executive committee. Some weeks before the election I went to Jackson and succeeded in getting an intelligent white commissioner of elections appointed for our side, instead of the ignorant negro that the Bourbons had bought up and wanted appointed. I got home late at night, and went to bed. The next morning a friend of mine came to my room and told me that J. W. Bailey was looking for me to slap my jaws. I prepared myself for him and went out. When I met him I asked him if he had said any such thing, and told him if he tried it one of us had got to die. He denied having said any such thing, but said that he understood I had been making remarks about him and made sport of him. I told him I had not done so; and he said it was all right, we would be friends, and he shook hands with me. A couple of hours afterwards I was walking down the street, and Bailey, Mead, and four or five others were talking together on a corner. As I came up to them they separated, and all went away but Bailey and a fellow named Hart, who stood so that I had to pass between them. Hart said to me as I came up: 'I understand you say you didn't make sport of Bailey.' I said I didn't. He began to draw his pistol and said: 'Well, you're a liar.' I struck at him with my knife and he ran away. His pistol caught in his pocket. When he got thirty yards away he fired, and the ball went straight through my body. That was how I got my wound. When Hart was arrested the judge asked him who his counsel was, and he said, 'The Hazlehurst bar.' It was true. I had to send to another town for a lawyer to prosecute him. He was bound over, but the grand jury ignored the whole thing. I hadn't got entirely well at election time, and the night before election I went up to Crystal Springs to look after the election there. When I heard that Matthews was killed I started for Hazlehurst, but the crowd on the train told me that they were going to put me with Print Matthews, and I jumped off at Gallman, while the train was running."

"Why didn't they shoot you there?"

"Because it wasn't safe for them. I had friends there who would have joined in

the shooting. The next day I went to Hazlehurst, but didn't stay but about two hours. The darkies are true to the men that they have confidence in, and one of them told me that the mob was going to kill me. I took the first train for Jackson. I told Meredith Matthews, the son of the murdered man, that I should be back Thursday night. I got a letter and a telegram from him at Jackson, telling me not to come back. There was a crowd waiting for me at the train Thursday night to kill me. Here is a note which was sent to me two days after the election. It is in the same handwriting as the warning which went to Matthews the day before he was killed."

Here Mr. Burnett showed the following note:

"We were in hopes that your dark-visage face would never be seen on our streets again. You have no business here. We now give you fair warning to leave, or you will meet the fate of your friend, J. P. Matthews.

"X.

"Nov. 8, '83."

"Jumping from the train and the exposure had made me sick, and I went into the country to my father's house, and lay in bed four weeks with typhoid fever. I have just got well enough to get out. I shall never go back to Mississippi. I have lost my library and all my business, but shall start again where life and property are safe."

"Are you a carpet-bagger, Mr. Burnett?"

"I was born in Copiah County, and have lived either there or in Hinds County all my life. Mine is no new family in that State. Two of my father's uncles, John Ford and Daniel Burnett, were delegates to the convention which framed the State constitution. My father was a member of the State legislature in 1880. He was an Old Whig, but during the war had to go into the Confederate service, for if a man did not go they took him out and broke his neck. My father pays more taxes than two-thirds of the mob which drove me out of the State. He has never been wanting in his duty to his government in any capacity. He is now an infirm and feeble old man, and I expect them to spare his life on that account. I have two young brothers there, two sisters, and my mother. I have been driven from my family, home, and native land for no other reason than because I would not indorse the views of the Bourbons. If the Bourbons elect a President of the United States I shall leave the country. I was urged to stay in Jackson, but I was going to tell what I knew about these things, and they certainly would have sent a man there to murder me. Here, I think, among different people, I may be able to defend myself if I am attacked."

"What about Barksdale's denial that he had advised the shotgun campaign?"

"I did not hear his speech, but I sent a man to hear him who was not suspected by them and could safely be there. This is the exact language that he used in Hazlehurst the night before the election, just after they had voted to see who should kill Matthews. Said he: 'Fellow-citizens, I must compliment you on your patriotism and the manner in which you have evinced it by shouldering your shotguns. I saw in the countenances of those armed men who paraded the streets to-day a determination to carry this election, and I say you *must* carry this election, "regardless of what the issue may be."' I defy Mr. Barksdale to produce any law-abiding citizen, not a part of that armed mob, who will say that he did not use that language. He has produced certificates from several men that he did not so speak. Every one of the men who made such certificates, except one, was in the audience that night with a shotgun on his shoulder. Every one of them is in that list which I gave you before of men against whom warrants have been issued. That is the kind of certificates he has got. R. N. Miller, one of the certifiers, was making a similar inflammatory speech at Wesson, ten miles away, that very night, and never heard a word of Barksdale's speech. J. W. Bailey, another of the certifiers, was called on for a speech when Barksdale finished. He said: 'I have been in the saddle six days, and am not fit for speaking. I will only make a motion that we appoint a committee to bury the dead Independent and Republican voters of Hazlehurst to-morrow.' I tell you Ethel Barksdale is morally responsible for all the political murders of Mississippi. He was responsible for the murder of poor Mahaffey, dragged from his bed from beside his sleeping wife, and shot for no other reason than that he taught a colored school. I don't know what the North is thinking of to turn over the control of this Government to such men. They don't know what it means; that's what's the trouble. I should just like to have Henry Ward Beecher and some more of those men who think it is all so lovely for Southern Republicans spend a few weeks in Mississippi during an election or a canvass."

"Was it necessary for the Bourbons to use the shotgun?"

"It was. In Copiah County we had about 1,000 white anti-Bourbon votes, and the negro vote was 200 more than the entire Bourbon strength. They had to overcome about 1,200 majority. They did it. The Republicans down there are not paupers or adventurers. They are among the most solid business men of the State. We had plenty of money for legitimate campaign purposes. All we asked for was a free ballot."

By Mr. FRYE:

Q. Now, as to your docket. Will you state what your docket was when you left Copiah County?—A. I have a list here of the most important cases. I have not counted, though, all the criminal cases I was in; this is simply a list of the civil docket.

Q. You may give a list of the civil docket.—A. Well, it will be remembered that Mr. Birdsong stated that I did not have any of Mr. Matthews' business; that Mr. Miller had it. The first case is the case of M. Faler & Co. *vs.* E. M. Bostick, G. E. Matthews' garnishee. That case involved $700. There were three of those cases. I represented the garnishee in all of those cases. Then there was the case of G. E. Matthews *vs.* L. Girot. That was carried to the supreme court on *certiorari*. Then there was the case of J. P. Matthews *vs.* J. H. Catchings, Handy Fortner *vs.* J. F. Thompson, G. E. Matthews *vs.* E. W. Brown, a case of $500, and one of the cases that ran over in my absence. Then there was the case of Cook *vs.* the Board of Supervisors, in which $3,000 was involved. Then there were three cases of the State of Mississippi *vs.* Cook, involving $14,063.35. Those cases were passed over in my absence, I having written to Judge Wharton and told him that I had to leave there to save my life, and I could not attend to them. Then there was the case of Russell *vs.* Perro, a case of $3,000; J. P. Matthews *vs.* J. J. Cason, involving $500; A. H. Isaacson *vs.* Mimms Bros., involving $175; E. M. Ballard *vs.* L. M. Cato, an action of replevin; Handy Fortner *vs.* J. F. Thompson, involving $160; McGinnis *vs.* McCalip, an action of replevin; McGinnis *vs.* M. E. Nelson, involving $500; P. B. King, administrator, *vs.* L. J. Rhymes and others, involving 400 acres of well-improved land; Harriet Jefferson *vs.* Richard Jeffered; J. P. Matthews *vs.* Eliza Jones, involving the sale of 2,000 acres of land. Major Norman said I had no business in the chancery court. Then there is the case of B. Y. Patton *vs.* R. S. Patton. That is a case which I attended to at the Claiborne County circuit court.

By Mr. JONAS:

Q. That is not in Copiah County?—A. No, sir; not that case; that was not on the Copiah docket. Then for these same parties I had a matter involving a large portion of property at Crystal Springs, and was investigating it when they drove me away from it. That was simply the civil business.

By Mr. FRYE:

Q. You had also business before the magistrates of the lesser kind, and conveyances, and the ordinary business that comes into a lawyer's office?—A. Yes, sir; I had a good deal.

Q. And gave advice in matters of controversy?—A. Yes, sir; my business was growing fast. I was growing into a nice practice there. There were 140 cases at the last term of the court, and I can show you that, according to the number of cases there, I have more than any other attorney. There are twenty-five attorneys, and I have a list of them here.

Q. Mr. Cook has been on the witness stand and testified your case of the county or State against Cook away. That was settled in your absence, was it?—A. Yes, sir.

Q. I wish you would state the method of levying taxes in Mississippi, and anything you know in reference to that Cook case.—A. The method of levying taxes in the State is this: They ascertain the current expenses of the county and the indebtedness of the county, and then they

levy a certain per cent. State tax for county purposes. If the State tax is $3 on the thousand and the county tax is 200 per cent. of the State tax, every time he collects a dollar of State tax he collects two dollars of county tax. We went over these books——

Q. Who do you mean by "we"?—A. Myself first. I think I was first employed as the attorney in the case. It involved a great deal of work, and about that time, when I was in the act of bringing the suit, they shot me down on the street. I then had to get Mr. Sessions and Mr. Cassidy to assist me. I had sent for Mr. Cassidy to come up and see me, and talked the matter over with him, and I showed him the figures I had made, and he said there was no doubt but what there was a large defalcation. We went through the books and we made six different accounts. The last one we made we gave him every possible credit that he was entitled to, and credits that he was not entitled to. I have the notes here, just as we brought him out on the last calculation that we made. We brought him out on balance due to the county in 1877, $814.15. By the statute we were entitled to recover 30 per cent. damages per annum. That was from the 1st of May, 1877, until the time of bringing the suit. The damages amounted to $1,597.59. We found a balance due in 1878 on account, of $820.27, and the damages on that were $1,353.81. In 1879 we found a balance due the county of $282.84. In 1880 we found a balance due Cook of $511.35. In 1881 we found a balance due the county of $2,093.22. In 1875 and 1876, the two consolidated, we found him due the county $1,391.62. The total amount due to the county was $14,063.35. We arrived at that by making this estimate. Where he reported in settlement with the State auditor, where he had collected $12,000 State taxes, whatever the county levy was, we supposed it was 200 per cent., and we multiplied that by 200, the amount he should have paid into the county treasury in those years. We gave him credit for everything he was entitled to, including some school taxes he was not entitled to at all.

I will state further in regard to the investigation of Mr. Cook's account that the law provides that whenever a man pays his taxes the sheriff shall duplicate his receipt; that is, he gives him a receipt and then keeps a duplicate in the office. It provides further that he shall enter them on the cash-book, with the date of the collection and the name of the man paying the taxes. I had between 500 and 1,000 tax receipts that he had issued about over the county, and in no place in his office was there any duplicate of those tax receipts, and he never accounted by a duplicate receipt for a dollar of money that was ever collected after the first Monday in March.

Q. When this case was tried were these receipts for taxes collected which had no duplicates in the office or credits in the cash book; were they before the court?—A. No, sir; they were in my possession.

Q. Do you say that your senior counsel that you called in, agreed with you as to the probability of the amount due from Cook to the county?—A. I think it was on Saturday night when we made our last calculation, and we agreed that there was no possible chance but that Cook was a defaulter to the county.

Q. Did you send word to anybody connected with the case that you had such proof in your hands and desired that the case might be continued until it was safe for you to return home?—A. I wrote T. J. Wharton a letter.

Q. That is Judge Wharton?—A. Yes, sir; the circuit judge. When I made my escape from the train and went to my father's I immediately wrote a letter and sent it to him, and he acknowledged receiving the

letter from me on the stand. I told him in that letter that I had made a narrow escape, and that under the excitement, I did not feel it was safe for me to come there, and to pass all my cases until I could come there and attend to them.

Q. Did you, in addition to that, communicate to anybody the fact that you had evidence to establish that case? Did you have any communication with the senior counsel in the case?—A. It seems to me that I told Major Cassidy about the receipts I had collected, in a consultation we had touching the case, and in the six times the books were investigated, Major Cassidy learned the fact that there were these outstanding receipts without duplicates or credits in the cash-book.

Q. He knew that from the fact that the books showed that themselves?—A. Yes, sir; I finally petitioned. The lawyers there have a practice if a person wants any document or paper which would be evidence in the case, you have to file a petition setting forth the fact, which is sworn to. I filed such a petition, and called on Mr. Cook to furnish the books containing all the receipts of the delinquents of whom he had collected taxes. They furnished me a lot of little scrap-books, like this [indicating], and I could not get much out of them. I finally learned, though, that each delinquent tax collector filed his report with Colonel Cook. We took those reports of those delinquent tax collectors, and myself and Mr. Cassidy sat down and added them up, Mr. Cook had certified to each one's settlement, and we found they amounted to over three thousand dollars, and there was no account in his office of it whatever. I afterwards asked Mr. Conn to run them over, but he never did.

Q. Do you believe now that there was a large amount due the county from Cook?—A. Yes, sir.

Q. Which, if you had been present with your testimony, would have been shown?—A. Yes, sir.

I will state other facts in connection with this as evidence of the fact that he was indebted to the county. He had been out of office about two years. After he went out of office he had a settlement with the board of supervisors, and I think they paid him $650. Some time after that he returned to the board, and paid them back $50, stating they had paid him that much over what was due him; and nobody ever heard anything of the county ever owing him a claim until the board of supervisors ordered this investigation, and when they ordered the investigation and he found that it brought him out in debt, he immediately turned around and sued the county for $3,000.

Q. Something has been said by the witnesses on the other side about your getting a thousand-dollar fee for attending to this business. Did you get such a fee?—A. I will state that if anybody got a thousand-dollar fee it was Messrs. Cassidy and Sessions. All I got out of the case was $150. I went to Brookhaven and to Hazlehurst and talked with Major Cassidy, and told him what proof I had in my possession with regard to the outrages and crimes that had been perpetrated, and Major Cassidy advised me that if he was in my place he would not go back there, and I left, and I gave him my interest in it for $150.

Q. A witness was on the stand who testified that you committed forgery and perjury up in some county, and that the judge did not find you guilty of forgery or perjury, but that he demanded a very severe censure; that you were the attorney and witness in the case; that you had forged a note in your brother's name, or something of that kind?—A. That is simply an attempt to add an insult to a wrong. Up to the time I left Hazlehurst no man can say that; and they can go there now and inquire after my record—I left there with a clean record. If I owed a dollar in

the world to any of them, I arranged it and settled it. Now, in regard to that case that they bring here, there is Mr. Sexton, I told him if they wanted to try me on that case that that was the best evidence, and I asked him to bring the case here before the committee; that I was not afraid of the record, and he told me he would do as he pleased. I told Mr. Sexton that he knew that was the best evidence if I had ever been guilty of perjury or sued on any note. So far as being sued on a note, I never was sued on anything—contract, note, or anything of the kind; and the case they speak of was a case against a brother of mine, and I was in nowise in the world connected with it any further than this: My brother was at Crystal Springs, and he asked me to write a letter for him stating that he would pay the debt. I so wrote the letter and signed it J. R. Burnet, per A. W. Burnet; and they called on me to know if I wrote that letter, and I told them I did write it.

Q. Was there any question raised about your committing a forgery in that case?—A. If there was I never heard it.

Q. Was there any question raised about your committing perjury in that case?—A. If there was I never heard it.

Q. Did the judge address any words of censure to you in that case?—A. Not a word.

Q. Were you attorney in the case?—A. I was there with C. S. Moore, who was the attorney. I had just been admitted to the bar, and if there was any wrong done in the pleading I am not in any way responsible.

Q. So that that story is made out of the whole cloth?—A. Yes, sir; the case was on a note against J. J. Burnet.

Q. A brother of yours?—A. Yes, sir.

Q. It was not a note that was called in question by you; all you had to do with it was to testify about a letter where your brother admitted an indebtedness?—A. Yes, sir.

Q. And that letter was signed J. J. Burnet by you?—A. Yes, sir.

Q. And the question was whether or not you signed it?—A. Yes, sir.

Q. And you admitted that you did?—A. Yes, sir; the note was signed J. J. Burnet & Bro.; there was never any allegation that I was ever connected with it in any way whatever; that is my recollection. The note was signed J. J. or J. R. Burnet, I do not recollect which.

Q. Do you know Mr. Chiles, who appeared here as a witness and testified as to your character?—A. I know him simply from the canvass of Hinds County in 1879.

Q. Was he engaged in it?—A. Yes, sir; he was engaged in it, and it was a notorious fact in Jackson, and not denied by them, that he was one of the men who figured in the stealing of the Forest Hill ballot-box.

Q. And Alfred Moore, who also testified, who was brought here from Jackson, was he not also connected with the stealing of the Forest Hill ballot-box?—A. Yes, sir; it was generally understood that he was at Jackson at the time, and he is a man who runs around for a county job when he can get it.

Q. When you left Hazlehurst in a hurry I suppose you left all your creditors there without any provision for them?—A. There is another one named R. B. Mims who has testified about my character; that man is owing me money to-day for honest labor done for him, and he certainly covers himself up under the dress of his wife, and everything he gets he puts in her name, and his books show that while he was a merchant he had swindled his creditors out of $4,000 and put it in a livery stable and stocked his wife's plantation with money here in New Orleans. I

took his books and put him on the stand and examined them, and he could not explain his books.

Q. Another witness, D. S. Burch, has testified as to your character; who is he?—A. He is a school-teacher there in Hazlehurst. I do not know anything about the man.

Q. Did you sue him for $5?—A. Yes, sir; I had a little claim in favor of R. A. Harrison, a livery-stable man, and I got tired of dunning him; he would promise to pay me and I never could see him, and I finally sued him, and while I was shot and in bed he went into court and took advantage of my sickness and insisted on having the case nolle prossed, and took judgment by nonsuit.

Q. But I ask you when you left Hazlehurst—a man of your bad character—when you left Hazlehurst in the night-time, of course you left all of your creditors entirely unprovided for and went off with all the money you had in your pocket?—A. No, sir; I paid some debts before I left. Those gentlemen that I could see handily I settled with.

Q. What did you do about the rest?—A. The balance, I left their claims in the hands of L. H. Matthews, who settled every debt I owed, and I afterwards wrote back to them and settled.

Q. So that you arranged for the settlement of every debt that you owed?—A. Yes, sir; for every debt.

Q. Have you ever been sued by anybody?—A. I never was sued in my life.

Q. Have you ever been charged since you have been in Hazlehurst, by anybody there, with being false to a trust or telling an untruth or anything of the kind?—A. I never have.

Q. Did you know that your reputation was bad for truth and veracity in Hazlehurst?—A. I never knew it until I heard it here. I think I told you that I was willing for you to ask any Democrat about my character and standing there; that I was not afraid of my character.

Q. Yes, you did.—A. And I am glad to say that Mr. Conn and Mr. Dodds and some of these gentlemen here have shown me the honor to testify that they never heard anything against me.

Q. Did you dispose of your library?—A. No, sir; I left that in charge of Mr. Matthews, and told him that if what I left did not settle my debts to sell it and to settle every debt. I think I had $25 or $30 owing there when I left.

Q. I call your attention now to John Fore, who testified that a second cousin or a niece, or something or other of his mother-in-law, or mother, told him or told somebody else that Print Matthews had a large lot of guns in his house while she, the mother or mother-in-law, was visiting at his house; did you hear that testimony?—A. Yes, sir; and I was right there when Mrs. Cato was visiting there.

Q. Were you there all the time Mrs. Cato was visiting there?—A. Yes, sir.

Q. She is a nice woman, isn't she?—A. Yes, sir.

Q. Was there any guns there at that time?—A. If so, I never saw them.

Q. Were you in all the rooms in the house?—A. I think so.

Q. Did you hear about any guns being in the house?—A. I will say this: On Monday night, from what we had heard, we were all expecting them to come there and take the Matthewses out and kill them; and he was talking, and he said, "If they come what can we do? I have not a gun on the place; nothing but a little pistol." I know from that, and from what I saw, that he did not have a gun there that night.

Q. Were you present at the impaneling of the grand jury at the last term of court of that county?—A. Yes, sir.

Q. Tell anything you want about that?—A. At the impaneling of that grand jury there was a man selected by the name of J. H. Thompson. There was objection made to him at that time by Mr. Ham. Moody, the mayor of Beauregard. The objection was that there were matters coming before that grand jury in which Thompson was interested. Another objection was that he was over sixty years of age and not a competent grand juror. After some argument, Mr. King then insisted that he should not serve on the grand jury, from the fact that when Mr. Ray had cut a man named White badly, at Beauregard (that was the offense that was to be investigated; he had mutilated him, cut his nose) that Mr. Thompson was a warm bosom friend of Ray's, and they objected to him for that reason, and his age. Judge Wharton overruled the objection and placed him on the grand jury regardless of the objection.

Q. Judge Wharton testified, I think, that there were 20 grand jurors there?—A. There were 15.

Q. Do you know how they stood politically?—A. I think it stood 8 Democrats to 7 Republicans. There was another important thing in the impaneling of that grand jury. There was T. E. Matthews, a Republican, who had been selected by the board of supervisors to serve as a grand juror, and he was in the court-house at the time and his name was not called, and they took a bystander in his place. He was not challenged at all or called by the sheriff. I was in the court-room at the time and know it to be a fact that he was not called as a grand juror.

By Mr. CAMERON:

Q. They simply dropped him?—A. Yes, sir; simply dropped him, and did not call him at all. There was another Republican I know summoned there; I will not be certain whether he was called or not; it was Alfred Casten. I know he was on the grand jury, and I know that he was not challenged. Another singular feature in regard to the impaneling of the grand jury was this: The court and all the Democratic lawyers there insisted and made argument in favor of Thompson keeping his seat on that grand jury on that day. As soon as these Republicans who had been selected by the board of supervisors as grand jurors had left on that evening, the next morning J. H. Thompson excused himself, and Pink Beachum, another Democrat, was put on in his place. That went on until the third and another Independent and white man was excused, George Marlboro, and Mr. Martin, another Democrat, was put on in his place.

Mr. FRYE:

Q. Who puts on the new jurors; who supplies the place of one excused?—A. The sheriff.

Q. Now, as to the board of supervisors. It is stated that they ran the county in debt one year. Please state what improvements that board of supervisors made in the county?—A. It is generally conceded that that board did more in the way of public improvements than any board in existence recently in the county. They built a bridge that cost the county $9,000. They built another bridge which cost the county, I think, $1,600. They improved the poor-house, furnished it, and in addition to all that the taxes have been less with this board than with the board that preceded it. Under the preceding board the taxes were about $14.50 to $15 on a thousand. Under this board the taxes have been reduced to $12 or $12.50 a thousand.

Q. How many men have you seen called here as witnesses by the other side, in attendance here and discharged without testifying or being called to testify, who were mounted and armed men in that mob before election?—A. Those that I recollect seeing here are Mr. Bill Higdon, Marion Higdon (I think I saw him here), Joe Parser (I think I saw him here), and I saw Mr. J. W. Bailey here; I do not know whether he was summoned or not. I also saw Mr. William Millsaps, I believe is his name, a young man. I believe that is all that I have seen that I recognize.

Q. None of these men have been called as witnesses, have they?—A. No, sir.

Q. Have you also seen here the magistrate who bound Wheeler over?—A. I have.

Q. Was he on the list of witnesses summoned here by the other side?—A. I saw him discharged and receiving his fees.

Q. Was he examined?—A. No, sir; if he was examined it was while I was absent, and I have been here pretty much all the time.

Q. Has Wheeler been in town here?—A. I just merely got a glimpse of Wheeler down on the street.

Q. Did he stay at the City Hotel do you know?—A. No, sir; he registered at Fred's, down on St. Charles street.

Q. Do you know whether the witnesses summoned by the other side as a rule stopped at the City Hotel; do you know of their stopping there?—A. Yes, sir; a good many.

Q. You do not know whether Wheeler was registered there or not?—A. I think Wheeler was registered at Fred's; it seems to me I saw his register there.

Q. You were there at one time when a set of resolutions was sent by this company to Mr. Matthews, and you stated that you had a copy of the resolutions amongst your papers. They never yet have been produced; please produce them. I refer to the third set of resolutions not yet put into the case.—A. I will state here, in explanation of what they term the second interview, that it was taken from this letter [producing a paper].

Q. Is this a copy of the resolutions which you know to have been served on Print Matthews?—A. No, sir; that was served on Mr. Ras Matthews.

The paper referred to is as follows:

Whereas we have been informed of certain threats of personal violence against Messrs. J. F. Thompson, Marion McCree, James Horton, W. N. Mitchell, and J. W. East, and believing, as we have good reason to do, that these threats were incited by members of the Matthews family: Therefore,

Be it resolved, That if Mr. Thompson, or McCree, or Horton, or Mitchell, or East, or any one or more of them, be molested or disturbed in any manner whatever, the Matthews brothers shall be held accountable, and nothing less than their blood will satisfy.

The foregoing resolution was adopted by a meeting of citizens of Copiah County, on the 3d day of November, 1883.

Q. That, you say, was served on Mr. Ras Matthews?—A. Yes, sir; that is the resolutions he brought to me when he made an affidavit.

Q. He made an affidavit against these men whose names appear here?—A. Yes, sir.

By the CHAIRMAN:

Q. Is that the Mitchell who was editor of the Copiah Signal?—A. No, sir; that is another Mitchell, who lives in beat 3.

Q. "The foregoing resolution was adopted by a majority of the citizens of Copiah County on the 3d of November, 1883." Was that the indorsement on it?—A. Yes, sir.

Q. And the men named in there who think that if the lightning strikes them, or anything else, the Matthews family are to be held accountable, were the men against whom Mr. Matthews swore the peace to keep the peace?—A. Yes, sir; and the very men the affidavit states who shot into his house.

Q. And these resolutions were passed after they shot into his house?—A. Yes, sir.

Q. In making your long and thorough examination of the books of this county, what did you learn of this board; had the board of supervisors been guilty of any stealing, or anything of that kind?—A. I went entirely through them and I could find no place where that board admitted an illegal allowance, or allowed a claim that was not authorized by law. At Green's Store, Mr. Rowan, the Democratic candidate for the legislature, was called on to name one single place where they had violated the law or made any appropriation not authorized by law, and he said he could not give any particular example of anything or specify anything, but he thought they had just made too many improvements. Again, in going through the minutes of the board they have had a square discussion in regard to the debt of the county. In 1882 the Democratic board transferred $11,000 of the county general fund to make up a deficit of the school fund. Again they transferred $900 to pay up a deficit in the school fund. After that, in 1882, Messrs. Dodds and Guynes, in the legislature, introduced a bill authorizing the county of Copiah to levy a special tax to pay up the deficit in the school fund. They say now the county was not in debt. If it was not in debt there was no necessity for the act that was to pay up the school fund, which was our point, that the county was in debt. Further, this board of 1882 (if I am not mistaken, I think it was in 1882), they had allowed Mr. Cook in one place a credit of $4,000 and something, as allowed on the first Monday of March, the time when they completed the delinquent tax list. After that, along in October, I think, they again gave him a credit of $2,000. The law in regard to that delinquent tax is that he must make his report on the first Monday of March, and if they do not pay then they go into the hands of the delinquent tax collectors, and he reports again on the first Monday of October, and then he is allowed a final credit of what remains uncollected. When he made that report there was only $2,000 of the original $4,000 remaining uncollected, and yet he had a credit of $2,000 and $4,000, which gave him a credit of $6,000 when he was only entitled to a credit of $2,000.

By Mr. JONAS:

Q. In the beginning of your testimony you used the expression, "when they shot me"; what did you mean by "they shot me"? Only one man shot you?—A. I stated in the beginning of my testimony, and I repeat it now, that there were seven or eight men there.

Q. But there was only one man who shot you?—A. Yes, sir.

Q. And that was Mr. Hart?—A. Yes, sir.

Q. And he was the only man that you made a charge against for shooting you?—A. I did not make any charge against him at all.

Q. When you were speaking of your interview with Mr. Cassidy—I mean when you saw him immediately before you left Hazlehurst—I understood you to say you left and gave him your interest in the case for $150?—A. Yes, sir; I did. I was anxious to do it.

Q. Then you made an arrangement with Mr. Cassidy by which you transferred to him all your interest in the case for a fee?—A. Yes, sir.

Q. And Mr. Cassidy paid you $150?—A. If he collected that $1,000 he was to pay me $50 more.

Q. Then what right had you to write to Judge Wharton and ask him to postpone the case after you had transferred all this interest to him?—A. This was after the election.

Q. But it was before that case was dismissed?—A. No, sir; I wrote to Judge Wharton before the trial. That was when I had to get off the train at Beauregard to leave. I wrote to him that it was not safe for me to come there, and to please pass all my cases.

Q. Was it after that, then, that you saw Mr. Cassidy?—A. Yes, sir; it was after I had been down for four weeks with typhoid fever, four weeks after the election, and after the case was tried.

Q. In whose handwriting are these resolutions; is this a copy of the resolutions?—A. I could not testify as to whose handwriting it is.

Q. Is not this a copy of the resolution?—A. No, sir; that is the original.

Q. Did you see it served?—A. No, sir; I did not see it served.

Q. Do you know of your own knowledge that it was served on Mr. Matthews?—A. I know by Mr. Matthews bringing it into Hazlehurst and telling me it was, and telling me what they had done to his store and that he had come there for protection.

Q. Was this the original paper that he brought you, or the copy?—A. That is the original paper that he brought.

Q. Was this memorandum at the bottom at the time: "The foregoing resolution was adopted by a majority of the citizens of Copiah County on the 3d of November, 1883"?—A. Yes, sir; that is my recollection, that the resolution stands now just as it did then.

Q. You are quite certain that you were only interviewed once by the reporter of the National Republican at Washington?—A. That is all, and I have so stated.

Q. Was that the only interview they had with you in Washington?—A. That is the only one.

Q. Were there not other interviews published with you during the time you were in Washington?—A. Not that I recollect.

Q. Did you not see what purported to be interviews published in the National Republican and copied into other papers?—A. I saw one piece where he stated I had furnished him the resolutions and the letter from a friend; I think that was the style of it; I do not recollect exactly, but I know I had no interview with him; I turned these things over to him and told him he could see what was going on in Mississippi.

Q. You turned over material to him to make it out of?—A. Yes, sir.

Q. Did you not see these accounts published afterwards?—A. Yes, sir.

Q. Did you disavow them?—A. No, sir.

Q. Did you say they were not true, and that you had not furnished the material?—A. I never said it, and I do not say it now. I say I did furnish the letter and the resolutions.

Q. You furnished a lot of material for the subsequent articles in the Republican?—A. There was never any one except that one.

Q. There was a subsequent interview published with you as to Mississippi matters?—A. I never saw that

Q. Was not one published about the Rials matter?—A. That is the

one I had reference to where I gave the letter and resolution to the reporter.

Q. And that was published in the papers?—A. Yes, sir.

Q. That has not been in evidence before, has it?

The WITNESS. That resolution?

Mr. JONAS. Yes.

A. No, sir; I told you I did not have the resolution when I testified before.

Q. Have you the resolution now?—A. Yes, sir; there it is.

Q. No; I mean the letter in reference to Mr. Rials and the attack upon him?—A. Yes, sir; I have got the letter.

Q. Was that published in the National Republican?—A. Yes, sir.

Q. And you furnished that information?—A. Yes, sir.

Q. Were the other matters published in the National Republican which purport to come from you in the shape of interviews or information?—A. I gave the National Republican a piece from a Democratic paper, where they had stated in the paper that if the colored people turned out in beat three on election day, that the sun might be warm and they might get sunstruck. I gave them that piece.

Q. Did you not give them the material which afterwards appeared in the National Republican as interviews, and which have been referred to by many witnesses?—A. No, sir; there was nothing else given as an interview. I have stated it exactly, and if you do not believe my word put the reporter on the stand.

Q. I do not question your word.—A. I told you I gave the reporter the letter and the resolution.

Q. And you did not furnish him with materials for any subsequent interviews?—A. There has been no others that I ever heard of. There has been two, what they said was an interview which came from that letter and resolution, and you cannot find any other coming from me.

Q. When did you first go to Washington?—A. I think I left Hazlehurst on the 23d of December, if I am not mistaken; I will not be positive about that.

Q. You were in Washington, then, over a month before you came here?—A. Yes, sir.

Q. Did you go to Washington of your own volition, or were you sent for?—A. I went of my own volition, and paid my own expenses.

Q. Were you not requested to come to Washington?—A. No, sir.

Q. Were you not telegraphed for, or letters sent to you, asking you to come to Washington?—A. No, sir. All the delegation from Mississippi there were Democrats, and they certainly would not telegraph for me.

Q. Is Mr. Jeffords a Democrat?—A. No, sir; he is a Republican.

Q. Is General Chalmers a Democrat?—A. Well, sir, he is not in Congress.

Q. Is he claiming a seat in Congress?—A. Yes, sir; I believe he is.

Q. It does not follow that you went on to see Representatives and Senators from Mississippi; did you not go and see Representatives and Senators from other States?—A. I will state emphatically that I received no letter, telegram, or any other communication before leaving for Washington City.

Q. You lost no time when you got there in reporting to Senator Sherman or Senator Frye?—A. I did not see Senator Sherman, and I did not see Senator Frye for a month after I got there.

Q. You saw Senator Sherman before that?—A. No, sir; I did not. I saw Senator Sherman shortly after I met Senator Hoar.

Q. Did you not see Senator Sherman before he introduced his resolution into the Senate?—A. No, sir; I did not.

Q. Did you not furnish him with a copy of these resolutions adopted in Copiah County?—A. No, sir.

Q. Did you not furnish him any details that you said had occurred in Copiah County?—A. No, sir; I furnished Senator Frye with the details of what I understood had occurred there.

Q. What was your object in going to Washington?—A. I had several objects. I wanted to see the national capital for one thing, and another thing was that I was very anxious that the National Government should take hold of this thing and let the people in Mississippi know whether they should be murdered like dogs and have no more security for their lives than if they were worms in the street, and if that was the case to tell them so and to tell them to quit working.

Q. You went there, then, to work up this case?—A. That was partly my business—to report the outrages that had been perpetrated.

Q. You went there, I suppose, also, supposing you were quite a martyr, and to get a martyr's crown of reward?—A. Well, I have not got it.

Q. Did you not expect an office?—A. No, sir.

Q. Did you not apply for one?—A. No, sir; but I would not object to one.

Q. Do you intend to apply for one?—A. Certainly; if I saw a particularly good one, I would apply for it; any other man would, too; there is no wrong in that.

Q. Was not that one of your principal objects in going to Washington?—A. No, sir; my principal object in going to Washington, or one of the principal objects, was to see the capital.

Q. Are you in the habit of going armed?—A. Yes, sir; I went armed after I was shot in Hazlehurst.

Q. Did you not usually go armed before that?—A. No, sir.

Q. Did you not have a knife at that time?—A. I had, but I had been threatened.

Q. You usually carried a pistol after that time?—A. Yes, sir; I did.

Q. Did you carry a pistol in Washington?—A. No, sir; I never carried a pistol while I was there.

Q. You traveled from Washington to New Orleans in the same car with this Senate committee, did you not?—A. Yes, sir.

Q. Were you armed at that time?—A. No, sir.

Q. Did you not carry a pistol with you at that time?—A. If I did, I did not have it on me.

Q. Did you not have a pistol in your sleeping berth and have it on your person at that time?—A. No, sir; I delivered it to the porter.

Q. Did you not take it out of your berth?—A. Probably I did, the first night, put it in the berth, and then gave it to the porter. I would not come among these people without one, I will tell you that.

Q. Did you not take your pistol on to Washington with you?—A. No, sir; I did not. I bought it when I started.

Q. Are you talking about the people of New Orleans when you say you would not come without being armed amongst them?—A. No, sir; I am not. I mean the people of Hazlehurst—people I know.

Q. But you did not start to go to Hazlehurst, and did not go through Hazlehurst; you came around by the coast line.—A. It did not make any difference, I knew I would meet them here.

Q. Did you expect to be assaulted by these people in this custom-house?—A. No, sir; I did not expect to be assaulted.

Q. Did you expect to be assaulted in that sleeping-car?—A. No, sir; I had no idea of it.

Q. Did you not think if you needed a pistol you could procure one at New Orleans, instead of wearing one on the car?—A. I did not know whom I might meet here.

Q. Prebably you did not know but what some of the Senators would undertake to bulldoze you. Were you afraid of the two Democratic members of the committee, that you armed yourself?—A. No, sir; I was not afraid of them at all. I have told you my object in buying the pistol, and if you want the proof, I will give you the proof by the man who went with me to buy it. I have heard since I have been here they have said if I go back to Hazlehurst there will be cause for another investigating committee.

Q. Do you think you can prove your good character by anybody else except yourself?—A. Certainly; I can give you the names of lots of men; just summon them here.

Q. You have not brought them. We have had your own testimony in your own favor, but I do not remember that any other witness has testified in your favor.

The WITNESS. Did not Mr. Hogg testify about it?

Mr. JONAS. He may have done so, but he is a saloon-keeper who has been indicted and punished for selling liquor without a license.

The CHAIRMAN. The county superintendent of education, whom you called yourself, testified to it in the highest terms.

The WITNESS. Did not Mr. Dodds testify that he never heard anything against my character?

Mr. JONAS. Is that what you call good evidence of it?

Mr. CAMERON. It is the very best that can be given.

Mr. JONAS. I thought positive testimony was the best, and not negative.

LEON MATTHEWS (recalled) sworn and examined.

By Mr. FRYE:

Question. Were you here when the two Thompsons were put on the stand?—Answer. Yes, sir.

Q. Has there been a long standing enmity between the two Thompsons and your brother?—A. Yes, sir; since the war; since the commencement of the war.

Q. Have not the senior Thompson and your brother been at enmity since your brother made a Union speech at the early part of secession, when Mr. Thompson was present, and your brother was hissed and disturbed?—A. Yes, sir; and hissed by his wife.

Q. By Thompson's wife?—A. Yes, sir. He remarked in his speech that secession would cause a bloody war, and his wife rose up and said, "If there was a war let it come," and since that time they have been at variance.

Q. This Thompson was the man, I think, who testified that it was a tradition in the Thompson family, or in Copiah County, that some forty or fifty years ago your father sheltered under his roof a horse thief; I would like to know what the tradition of the family says about that?—A. One of my uncles in a neighborhood adjoining had a difficulty with a lot of neighboring people, the Pierces, and a man named Jett was interested in it, and knocked one of them down a stairway, some distance down, and bruised him; and they got after my uncle and he fled from them, and they undertook to revenge the ill treatment that Mr. Jett

or Mr. Pierce received from the hands of my uncle. It was when the laws were not settled, and they were the regulators who went all over the country to regulate communities, and they came to our neighborhood and they were going to avenge the wrongs that he did over there in the neighborhood, and the people of the neighborhood rose up and went with my father and met them and adjusted the matter. I think Mr. Millsaps, the man who was said to be elected in the last election—his father interceded and was one of the arbitrators in the matter.

Q. Was it anything about horse-stealing?—A. No, sir; I never heard of that before.

Q. That was forty-five years ago?—A. Yes, sir; about that time. It was away back before the country was settled, and when law and order did not prevail.

Q. Have you known Print Matthews to have any other enemies than those?—A. He has had enemies in politics.

Q. But I mean has he had personal quarrels?—A. I never knew of his having but one difficulty where it tended to blows; not of a single instance, except one. He had a fight with Bob Thompson, the son of this J. H. Thompson who testified about the things that occurred forty-five years ago.

Q. Was the senior Thompson in the Confederate army?—A. No, sir; he resorted to a subterfuge that is too bad for me to relate here in this audience, as I see some ladies are present. He went before a medical board of examiners and had himself discharged from the army and remained at home and speculated off the women and children, while the men he had persuaded into the war were out fighting for his cause. He pursuaded his overseer, and told him at the time the war broke out—two of them were on the plantation—that he or the overseer had to go, and he thought it was better for the overseer to go, and for him to take care of his family, and he would see that they did not suffer, and so on. Mr. Dietz, the overseer, had a settlement with him, and he owed Mr. Dietz $4,000, I think, and Mrs. Dietz moved back to her father's, some 12 or 15 miles from there, or perhaps not so far; but at any rate she left there, and got out of corn and sent back to Mr. Thompson for the corn, and he sent the wagon back empty, telling her to come and bring that note, and he would enter the credit on that note for the corn she got from him.

Q. And that is the sort of man who thinks that Print Matthews' character was not good?—A. Yes, sir.

Q. John Fore was on the stand and testified something about having been told that there were guns in Print Matthews' house?—A. Yes, sir.

Q. Did Print Matthews have any guns in his house?—A. No, sir; there has not been a gun in the house for I do not know when. We never hunt, or anything of the kind, and there has not been a gun in the house for twenty years that I know of, or at least during the time I have been there, unless it was left there by somebody.

Q. Did Mr. Burnet leave you to fix up his affairs and pay his debts, and all that kind of thing?—A. Yes, sir; he left a whole batch of papers.

Q. Did you ever hear of Mr. Burnet's cheating anybody?—A. No, sir.

Q. Did you ever hear that he had a bad character until this investigation?—A. No, sir; I know that he associated at Hazlehurst with the first people of the town, and was a member of a club there—the Elite Club—and the best class of people in the town belonged to that club.

Q. Did you ever hear his integrity called in question until this investigation took place?—A. No, sir.

Q. Did you ever hear anybody say that he was not to be believed on oath until this investigation began?—A. No, sir.

Q. Was there any question raised about his veracity?—A. No, sir. I went to school with him at Oxford University, and roomed on the same floor with him, and I have known him since that time.

Q. Something has been said by two or three witnesses in the course of this investigation about speculating in warrants. I suppose a town or county warrant is an order on the treasurer?—A. Yes, sir.

Q. Is it negotiable?—A. Yes, sir.

Q. What does that speculating in warrants mean; what did your brother do about warrants?—A. Nothing more than this. The warrants are drawn against the county, and they are negotiable, and various men buy them. My brother's practice had been always to speculate in paper of all kinds, with any other business that he could get hold of, where he could make money in it. He was a general speculator, and at one time he took out a license as a broker and put up a sign in front of Mr. Millsap's store, and bought warrants and paper, and traded in them.

Q. Was there not a bank there which did the same thing?—A. Yes, sir.

Q. Those warrants were good, were they not?—A. Yes, sir.

Q. How was it possible for a man to speculate when there was a bank right there ready to take this good paper at a small discount?—A. He paid more than the bank did. The bank gave 80 cents, and if he gave 85 cents he would get them. That is the only way I can account for it.

Q. Did you ever hear of his undertaking to get these supervisors to levy a tax, to have a lot of warrants issued, so that he might buy them?—A. No, sir.

Q. Was there any certainty if warrants were issued that he could buy the warrants?—A. No cheaper than the bank; not unless he paid more money than the bank, and that is the way he did get them.

Q. If the bank would pay 95 cents the bank would get them unless he paid 96 cents?—A. Yes, sir; unless he paid more.

Q. Do you know, or have you ever heard of any wrong on his part in this matter in the buying of warrants, notes, bonds, or anything of the kind?—A. I heard way back there was a charge made against him of speculating in warrants while he was in office, but they investigated the matter and he retained his office; the report was not correct and he retained his office. That was during Governor Alcorn's administration, when he held the office under him.

Q. And that charge was made then?—A. Yes, sir; it was made by Judge Millsaps, who testified in this case, and since that time Judge Millsaps has been at variance with him.

Q. So that Judge Millsaps and your brother were not very friendly?—A. No, sir; and he owes my brother borrowed money, two or three hundred dollars, and has never paid it.

Q. And won't pay it?—A. No, sir; I have asked him for it five or six times that I know of, and have not got it yet; I generally collect bills for my brother; we were in business together merchandising, and I would collect bills and place the amount to his credit.

Q. When that charge was made against your brother during Governor Alcorn's administration that he was speculating in warrants, it was investigated?—A. Yes, sir.

Q. Did the investigation result in his entire acquittal?—A. Yes, sir; and the Democrats of the town and county went on a petition to retain

him in office—the best Democrats in the county there; and I do not suppose he asked a single one of them to sign it who didn't sign it; such men as Thompson he didn't ask to sign it.

Q. Is there anything that you desire to state to this committee; I believe your character has not been attacked by anybody?—A. I think not; if there had been anything wrong they would have brought it up in the canvass.

Q. That reminds me of another matter; do you know of anything that has been done wrong by the Matthews family since your father 45 years ago sheltered a man—not for horse-stealing—that has not been proved in the progress of this investigation against the family?—A. I do not think there is, unless it is some petty quarrel, or something of that kind.

Q. But everything else that you can think of in the history of the family for 45 years that was discreditable or bad, has been proved up?—A. Yes, sir.

Q. You have the misfortune to have a brother who sometimes drinks?—A. Yes, sir.

Q. And that brother when he drinks, like other men, is liable to have a fuss?—A. Yes, sir.

Q. That they have put in evidence, have they not?—A. Well, it is a fact that he has no sense when he does drink too much, and everybody knows that, and he is very reckless. He does not get drunk, though, perhaps, for two or three or four years at a time, but he has got drunk and got into difficulties, and one of them they have related here.

Q. You do not know of anything else that they have done? You have not done anything yourself?—A. I could get a heap of witnesses to contradict their witnesses, but I do not know of anything of my own knowledge.

Mr. FRYE. That is all I know of. There is another witness—R. A. Harrison—in town, whom I sent for, but he has not been found, and I will not wait for him.

Mr. SAULSBURY. The witnesses that I said we had ordered summoned have not reported. The summonses have been returned served, but they have not reported, and I shall not ask the committee to wait for them.

The subcommittee then adjourned to meet at Washington on the call of the chairman.

WASHINGTON, *Friday, March* 21, 1884.

The subcommittee met at 10 a. m., at the call of the chairman.

Present, Messrs. Hoar (chairman), Cameron, Frye, and Saulsbury.

Examination of Hon. E. BARKSDALE, M. C.

The CHAIRMAN. Mr. Barksdale, we were informed by a member of the committee that it would be agreeable to you to make some statement before the committee. You can make it under oath as a witness, or otherwise, as you prefer.

Mr. BARKSDALE. I will make it under oath.

The oath was thereupon administered to Mr. Barksdale.

The CHAIRMAN. We will hear your statement in your own way, if you prefer.

By Mr. SAULSBURY:

Question. You are aware that there was some testimony given before

the committee charging that in the speeches which you made at Hazlehurst you used language calculated to excite violence, and, in fact, that you advised the hanging of a man by the name of Bufkin. Mr. Jonas and myself thought that perhaps you might desire in your vindication to appear before the committee, and he stated to the committee at that time that he might desire to give you the opportunity of doing so. You will state in your own way anything that you have to say in vindication of yourself against all such imputations, or anything else in reference to your connection with that meeting, confining yourself as nearly as you can to your own vindication, as other matters have been generally testified to. Proceed in your own way.—Answer. In answering your question and in replying to the statements that have been made in reference to myself, I think the proper plan, in order to give the committee an intelligible understanding of what I did say, will be very briefly to present a sketch of the addresses which I delivered on the occasion referred to. Therefore, I will proceed to do it.

On the 6th of November elections were held in Mississippi for county officers and members of the legislature. I was invited to speak in Hazlehurst, Copiah County, the preceding Monday, and the time fixed for the address was a regular meeting of the Democratic club of the county that evening at 8 o'clock. About noon a procession of citizens, residing mostly in the country, entered the town, and I was then invited to address them from the balcony of the court-house, which I briefly did, occupying probably about ten minutes. I have a distinct recollection of what I said. I commenced by congratulating the Democrats and Conservatives of the country upon their enthusiasm, and said that I saw in their zeal the harbinger of victory, and in that connection quoted a familiar sentence (which all who heard me will remember), that they would carry the election with—

> A weapon that comes down as still
> As snow-flakes fall upon the sod;
> But executes a freeman's will,
> As lightning does the will of God—
> The BALLOT.

I said that the interest which the people were taking in their county election was natural and proper; that its administration had fallen into bad hands; that the Independent or Republican board of supervisors were using their power to accumulate debts and impair the credit of the county; that when they obtained control of the county administration the county was out of debt and warrants on the treasury were at par; now, with nothing to show for the expenditure, the county was in debt and her paper was at a discount; but worse than this, the men who were at the head of the county government had fomented race-strife and turned loose the demon of discord to disturb the repose of the people.

Speaking of the political organization which had been the agent of the wrong-doing, and urging its overthrow, using a familiar and somewhat hackneyed figure of speech, I said, "Bury it so deep that the hand of resurrection will not reach it," or "Hang it so high that the birds of the air will not find it." The figure of speech has been wantonly and maliciously or ignorantly misconstrued and misrepresented. The expression was figurative. It meant "overwhelmingly defeat through the ballot-box the political organization that was inflicting the evils upon the county." No man understood it in the sense of burying or hanging, or in any other way inflicting personal injury upon the

members of the opposite party, individually or corporeally, but to overthrow them as a political organization.

It was first stated through the press, by persons who pretended to have been interviewed, that I had advised the Democrats to carry the county with the shotgun, if necessary. That statement was made by a number of persons, and I have it here in the form in which I explained, but it is not necessary to read it. It was so manifestly an invention, without the shadow of a shade of ground to predicate a falsehood upon, that no one of the persons who had circulated the statement would repeat it before the committee, but with an equal determination to falsify they have seized upon and misconstrued and misapplied and falsified the expression which every intelligent man who heard me well understood.

The concluding part of my remarks was devoted to a review of the claims and qualifications of the candidates of the Democratic party, and in making this review I referred incidentally to one Frank Bufkin, the Republican candidate for re election to the office of supervisor, and contrasted his qualifications and merits with his competitors; but so far from advising that he be hung or otherwise personally or corporeally injured, such a thought never entered my mind.

That is the purport and in many respects the exact language that I used in the address from the balcony. My address to the club that night was more formal and elaborate. It was devoted mainly to the discussion of national politics, and especially the tariff question, not omitting, however, other topics of general interest, including the public debt, inter-State commerce, &c. Leaving these topics, I discussed State affairs and spoke of the good results that had attended the accession of the Democratic Conservative party to power in the State. I omit a sketch of some topics of national politics not pertinent to this investigation. In the same connection I said, "We must let the dead past bury its dead and direct our thoughts to the present and to the future."

In concluding I spoke of the condition to which the affairs of the county had been brought under the then existing administration, repeating in substance what I had stated in the previous address, and appealed to the Democrats and Conservatives, to every lover of law and order and good government, to come to the polls and do his whole duty in rescuing the county from the control of the combination of bad men who were in power.

The condition of the county and the causes of the profound interest which the election created have been explained by the intelligent witnesses who reside in the county. It is therefore not necessary that I should repeat what they have fully explained, but I will say that the history of Copiah County has always been characterized by love of law and order and good government, and that in the last election, in the course of the Democratic-Conservative party of the county, comprising nearly all the white population, there was nothing inconsistent with their past history. The white people of that county, in common with the white people of the South generally, in the sudden investment of the large mass of negro voters with the privilege of suffrage without a knowledge of its responsibilities, and liable to be deceived and misled by designing persons into error, have had great difficulties to encounter in preserving social order and maintaining just and economic government—difficulties which seem not to have been properly understood and appreciated by many persons living in other parts of the Union; but these difficulties have in a great measure been overcome, and they have reason to look hopefully to the future.

In delivering the opinion of the Supreme Court of the United States in the Georgia Kuklux cases, Justice Miller declares that "if the recurrence of such acts as these prisoners stand convicted of are too common in one quarter of the country, and give omen of danger from lawless violence, the free use of money in elections, arising from the vast growth of recent wealth in other quarters, presents equal cause for anxiety," showing that in the opinion of the highest judicial authority of the land the public liberties are in danger in other States by practices equally as reprehensible as those attributed to the South.

The foregoing, with the exception of the latter clauses, was about the substance of what I said.

By the CHAIRMAN:

Q. This statement about Judge Miller's decision and the character of the people of Copiah is not a part of your address there, of course?—A. I said it was not; I have mentioned it in vindication of the people of that county.

By Mr. SAULSBURY:

Q. Then I understand from your testimony already given that on the occasion referred to in Hazlehurst in neither of the addresses that you made there on Monday preceding the election did you use language calculated to excite the people, or any portion of the people, to acts of violence and lawlessness?—A. I so assert, most positively.

Q. And that you did not use the language which was attributed to you by one of the witnesses, I believe, before the committee?—A. I never thought of such a thing.

Q. Advising the hanging of Frank Bufkin so high that the birds of heaven could not reach him with their beaks?—A. No, sir; I applied no such language to him, or to any other member of the opposing political organization. I did not intend to be so understood, any more than I advised the use of the shotgun, as has been charged. It is a term I never employed in my addresses at all.

By the CHAIRMAN:

Q. I understand you, Mr. Barksdale, that you used the name. You did speak of this Mr. Bufkin by name?—A. Yes, sir.

Q. And that at a good deal of length, as contrasting his character with that of the Democratic competitor. You made the contrast with some fullness?—A. Well, I spoke rather briefly about him.

Q. How long do you think you devoted to the point in characterizing Mr. Bufkin?—A. I suppose I devoted about one minute to Mr. Bufkin. I spoke of his habits which disqualified him from public service; I had heard he was a very intemperate man, and not suited for the position.

Q. In which speech was that, the afternoon or evening speech?—A. That was the evening speech; the one that was delivered from the balcony of the court-house.

Q. The audience were not out of doors in both speeches, then?

Mr. CAMERON. It was not the evening speech. That was delivered in the court-house.

The WITNESS. It was not the night speech.

By the CHAIRMAN:

Q. You say it was the speech from the balcony of the court-house, I understand?—A. It was the speech from the balcony of the court-house.

Q. That was to an audience outside?—A. Yes, sir.

Q. Mr. Cameron interrupted, when I asked if both speeches were made to an audience in the open air, and said that he had an idea that the evening speech was made to an audience in the house, but I understood you that they were both to an audience in the open air, one from the balcony of the court-house, and the other from the hotel?—A. I should have said the afternoon speech. The night speech was delivered to the club in the court-house, after 8 o'clock.

Q. Then it was the afternoon speech in which you spoke of Bufkin?—A. Yes, sir; it was the afternoon speech.

Q. This trope about hanging the party so high that the birds could not whet their beaks on him was in the same speech in which you referred to Bufkin?—A. Yes, sir; in the same speech, but not in connection with Bufkin.

Q. I understand you. You made no individual application to him?—A. No, nor applied it to him.

Q. How long did you speak in the afternoon?—A. About ten minutes.

Q. In what part of the speech did you speak of Mr. Bufkin?—A. In the concluding portion, when reviewing the candidates.

Q. In what part of the speech did you use this trope?—A. In the earlier portion of it. I can tell better by referring to my manuscript.

Q. Had you that in manuscript when you spoke?—A. I had not. I took notes of it immediately afterwards.

Q. Have you here notes that were taken then?—A. No, sir; I have not. [Referring to manuscript.] That was mentioned in connection with the debt that had been accumulated by the board. It was in the second paragraph of the speech. The reference to Bufkin was in the concluding portion of my remarks.

Q. Where were your audience in the afternoon speech—the first speech?—A. They were in the court-yard in front of me.

Q. Were they on horseback?—A. Yes; they were on horseback, in procession.

Q. And armed?—A. I do not know that they were armed. I did not observe.

Q. Were there not as many as a hundred of them armed with shotguns?—A. No, sir; if there were any shotguns, there were, I think, very few.

Q. I will state to you that there have been a great many witnesses before the committee who testify that these persons were armed with shotguns, and that two witnesses have testified that they were counted and that they counted 90 with shotguns in a company of about 150.—A. What witnesses testified to that?

Q. The daughter of Mr. Matthews was the young lady who counted them, and a person who stood by her when she counted them.—A. Was she present when I made the address?

Q. No; she saw them go by her father's house when they went down.—A. They might have had arms at one time and not the other. You asked me with reference to the speech.

Q. They might have stacked guns, but I suppose if they were still on horseback the probability is that they did not. Are you able to affirm that there were no shotguns there?—A. I did not say there were none.

Q. That is what I asked.—A. I say that there possibly may have been a few; I did not observe the number.

Q. The statement, if I recollect aright, was something like this: that you were glad in looking into their faces to see that they were deter-

mined to carry this election. I will refer to the testimony; I will find it and call your attention to it.

Mr. FRYE. That is one expression; a Methodist minister testified to that for one.

The WITNESS. I beg your pardon; I do not think the Methodist minister was present when I delivered the address from the balcony.

Mr. FRYE. He testified that he was present at one of your meetings, anyhow.

The WITNESS. At night; but he did not make that statement.

By the CHAIRMAN:

Q. This is one statement made by one of the witnesses called by one of the witnesses, J. D. Parker. [Examining.] No, this is merely a statement of what the witness has said about it.

Mr. SAULSBURY. I think it was Mr. Burnet who said he was sitting on the porch with Mr. Matthews when the procession passed there, and that he did not count them.

Mr. FRYE. There is no doubt about what was said at the meeting; there was not a witness on either side who did not testify to it.

The CHAIRMAN. Here is the statement of one witness:

He said he was glad to see the fixed determination in the faces of these armed men.

The WITNESS. I said I did not observe the number of shotguns.

The CHAIRMAN. I will read a little before that point:

Q. Did Barksdale advise them to disperse and give up that sort of business?—A. He rather advised them to go ahead with it.

Q. What did you hear him say?—A. He went on to say a good deal about the Republicans, but the main thing he said, he said he was glad to see the fixed determination in the faces of these armed men that rode around town; he saw from their countenances that they meant to carry the election, and he said, "Gentlemen, we shall carry the election regardless of the issue."

Q. You heard him say that?—A. I heard him say those words, and call upon them to come up and have a love feast, and called upon Brother Millsap.

Is there anything in that?

The WITNESS. Let me see the testimony, so that I can read it.

The CHAIRMAN. I will hand it to you as soon as I see who the witness was. It was Mr. J. W. Bondurant. I merely wanted to call your attention to that phrase. I understood that you had substantially negatived that you had any recollection of any such language.

The WITNESS. The statement of this witness is this, I see. The witness says that "Mr. Barksdale——

went on to say a good deal about the Republicans, but the main thing he said, he said he was glad to see the fixed determination in the faces of these armed men that rode around town; he saw from their countenances that they meant to carry the election, and he said, "Gentlemen, we shall carry the election regardless of the issue."

It is a falsehood that I referred to armed men at all, or used the expression.

The CHAIRMAN. He does not say that you used the expression. He says you referred to it.

The WITNESS. Let us see: "He said he was glad to see the fixed determination in the faces of these armed men," attributing the expression to me, "who rode around town."

The CHAIRMAN. I do not understand him to attribute the expression to you.

The WITNESS. If he did, it was false. He said:

He saw from their countenances that they meant to carry the election, and he said, "Gentlemen, we shall carry the election regardless of the issue."

I said I saw in the zeal manifested by the people of the county and by the people then in attendance that they intended to carry the election, but it is false that I said that they intended to carry the election "regardless of the issue," meaning that I would advise the resort to any other than peaceable methods.

By the CHAIRMAN:

Q. Major, were you acquainted with any of the gentlemen in this company, this procession, as you describe it?—A. Yes, sir; quite a number.

Q. Do you know Mr. Wheeler, who commanded it?—A. I did not know him personally.

Q. Did you know Mr. Bailey?—A. Yes, sir; I knew Mr. Bailey.

Q. Did you know Mr. Meade?—A. Mr. Meade, yes, sir.

Q. I do not mean to say that Mr. Meade was in the procession; I am not aware that he was; but he was one of the men whom we have seen. You knew a good many of them. What was the character of the persons in that procession as far as you knew them as compared with the generality of the people in Copiah County?—A. The procession, so far as I knew the citizens who comprised it, were among the best in the county, a good many of them planters and men of various professions, living in the country.

Q. I speak of the gentlemen who were on horseback.—A. Yes, sir; they are the gentlemen that I refer to. I give you my own impression and my opinion.

Q. Are you able to speak of Mr. Wheeler's character from reputation? I understand you to say that he is not a personal friend of yours. Do you know what his reputation is?—A. I could not say that I know Mr. Wheeler personally, or his past course. I have never heard anything, though, to his discredit, or any charge made that he was a lawless person.

Q. You do not mean, I suppose, to include in that statement the killing of Matthews? You mean up to that time?—A. No; I am not discussing that. That is a matter that is in the hands of the legal authorities.

Q. I did not understand you to mean to enter on or suggest that discussion by your answer; I only called your attention to it. You said you never had heard anything to his discredit. You mean before a certain time?—A. Yes, sir.

Q. You said, I think, in the close of your written examination, something about the character and conduct of the last election in Copiah County. Did you read that from your manuscript? If not, I will get the reporter to look back to it?—A. Here is my language:

> It is therefore not necessary that I should repeat what witnesses from Copiah County have fully explained, but I will say that the history of that county has always been characterized by love of law and order and good government, and that in the last election, in the course of the Democratic Conservative party of the county, which comprises nearly all the white population, there was nothing inconsistent with their past history.

Q. Do you include the course of this procession, as you call it, of the 150 whom you addressed in the afternoon?—A. I am giving my opinion, and so far as I know of the action of that procession, I do.

Q. So far as you have heard?—A. So far as I know personally.

Q. Would you include the killing of Mr. Matthews in that statement?—A. I have nothing to say in reference to that, because it was a personal difficulty between those two men. It is before the courts

and I express no opinion on that subject. I prefer to leave it with the judicial tribunals, which are fully competent to deal with it.

Q. We are dealing now with a political question.—A. Well, I express no opinion in reference to that.

Q. If it should turn out that the killing of Mr. Matthews was not a personal difficulty between two parties, but was the execution of the order of these 150 men to prevent Mr. Matthews's political influence, should you change your mind?—A. I will answer that question when the occasion arises.

Senator FRYE. There is not any evidence in the case that it was a personal difficulty.

The WITNESS. I was in another county. I heard of the difficulty, and the killing, and in reference to its causes and the criminality of the party who did it I have nothing to say.

By the CHAIRMAN:

Q. But you have said, in the first place, that the people of Copiah County stand high compared with the general people of the State; and next, that there was nothing in the conduct of the election in your judgment inconsistent with their past history?—A. Yes, sir.

Q. Now, I wish to know whether the fact, if it should turn out to be a fact, that this mounted crowd went about to the houses of colored men, whipped them, shot one of them, declaring as they did it that they did it to compel them to vote the Democratic ticket, and whipped the men, compelling the negroes to flee to the woods in large numbers, and that Mr. Matthews was shot because of his influence as a Republican leader, whether that would change your mind as to the character of the people of that county?—A. I suppose the object of your inquiry has been accomplished by your statement here.

Q. No; it has not. I ask you to answer.—A. I suppose it was in order to make that statement. You are yourself giving testimony in the question you propound to me.

Q. I am supposing a case.—A. I say after the trial of Mr. Wheeler for the killing of Matthews is over, and the facts are brought to light, I will answer the question which you have propounded, but I will not do it at this time.

Q. You will decline to answer?—A. I do.

Mr. SAULSBURY. I do not think it is fair to a witness of the standing of Mr. Barksdale to ask him to express an opinion upon the guilt or innocence of a party, or to give his opinion upon an entirely supposititious case, assuming that the facts should be so and so.

The CHAIRMAN. Mr. Barksdale has testified in regard to the character of that election as conducted. We have evidence, overwhelming in its character, as it seems to me so far, that the things which are supposed in my question were all done by the Democratic party of Copiah County in the conduct of that election. I therefore propose to him the inquiry whether, assuming those things to be true, his opinion does remain that it is an average character? That he declines to answer. I think the question is a fair one. I shall not press the answer if the Major declines.

Mr. SAULSBURY. I do not think it is right. Mr. Barksdale is a man of known reputation in that community, and any expression of opinion he may give would have its bearing upon the trial of this man.

The CHAIRMAN. I did not ask him to express an opinion of the trial. I said suppose such a thing to be true.

Mr. CAMERON. Major Barksdale has volunteered the statement that it was a personal difficulty between Wheeler and Matthews.

By the CHAIRMAN:

Q. Are you familiar with the general political history of Mississippi for the last few years as a public man who is engaged in it?—A. Yes, sir.

Q. Did you read in the papers some resolutions purporting to have been passed after the election at a public meeting?—A. Yes, sir; I have them here.

Q. May I inquire of you if you are willing to answer me whether you approve or disapprove of those resolutions?—A. I will not answer that question——

Q. Very well, sir.—A. Further than to say that the resolutions have not been properly understood by the public, and have been misrepresented.

Q. We did not call on you to inquire what the public thought.—A. If you will permit me, I will refer to the resolutions, so that I may understand the purport and gist of your question. Will you, sir?

Q. No, sir; you have said that you should decline to answer it. Therefore, I do not think it necessary to pursue it. I shall not press it further.—A. I decline to answer it without an explanation of the reasons that influence my reply. If you will permit me, I will answer.

Q. If you would like to do so, you may answer it in that way, then.—A. The resolutions are in these words:

Whereas certain rumors are current that the relatives of the late J. P. Matthews have threatened the peace of society, in order to avenge his death, by killing Democrats and destroying their property: Now, therefore, be it—

Resolved by the people of Copiah County in mass meeting assembled this day at the courthouse of said county, That if any person shall be injured, or an attempt made to injure him, either in person or in property, in any manner by the said relatives or friends of said J. P. Matthews, that we hereby declare that we will hold his said relatives and friends who participate accountable for the same, and that we will regard them as without the pale and protection of the law and common enemies of society, and that we will visit upon them certain swift retribution.

I regard these resolutions simply as a reply to the threats that had been made by Matthews himself, and the clan that he was at the head of, against the citizens who were making this response.

Q. Do you mean to say whether you do or do not approve of them?—A. I mean to say that they have been misrepresented and misunderstood.

Q. My question was not what the public understood by them or whether they had been misrepresented, but whether you approved of them.—A. My answer is already given.

Q. You decline to state?—A. I will give no further answer in reference to it. I say it was in reply to threats which Matthews had made repeatedly, not only to the circuit judge of the district, but to others, that he would organize a clan and that he had even willed a part of his property——

By Mr. FRYE:

Q. Do you know those facts? It is very important testimony if you know them.—A. I am stating these things in connection with the resolution to which attention has been called.

Q. Did you ever hear Mr. Matthews say anything of the kind?—A. I should not be asked to testify in regard to this matter, when called here simply for the purpose of testifying what I myself said at a meeting. You are introducing irrelevant matter.

The CHAIRMAN. Still we want it from any source we can get it.

By Mr. FRYE:

Q. I want to know if the witness means to testify in that statement that he ever heard Mr. Matthews say anything of the kind?—A. No, sir; but I heard Judge Wharton and other reputable——

Q. You have no right as a witness, and you know it, to give that answer as to what Judge Wharton told you.—A. You must use gentlemanly language in addressing me.

Q. I asked you a simple question, whether you ever heard Mr. Matthews say anything of the kind.—A. When you say, "You do not know it," and "You know it," you imply that I am not stating what is true, and it is not the manner in which gentlemen are in the habit of addressing each another; understand that.

Q. I ask you, did you hear Print Matthews make any such statement as you make to the committee?—A. I have not heard him; I heard reputable men say he did make it.

Q. I object to that from the witness.—A. I give it, and if you do not want it to be given so, do not ask me the question.

Q. Had I not a right to ask you the question I did?—A. No, sir; you have not.

Q. I had.—A. You had not, sir.

By the CHAIRMAN:

Q. Do you not know that when you are asked as to a fact, whether you know it, that you are not entitled to tell hearsay testimony? That is the question?—A. When you ask, "Do you not know that?" you have no right to ask my opinion about this thing, that thing, or the other when I am called upon to testify. You ask me for my opinions when I am called on to testify to facts.

Q. You have no right to put in hearsay testimony when you are asked about a statement of fact. What I wanted to ask you relates to another matter in those resolutions. You say you are familiar with the political history of Mississippi. There is one resolution to the effect that "Copiah shakes hands with Yazoo." Do you know what had happened in Yazoo which would interpret that resolution so as to show what is meant by Copiah shaking hands with Yazoo?—A. No, sir; I will not undertake to interpret that.

Q. You have no knowledge of any public fact in the history of Mississippi which would help to interpret it?—A. I had no connection with the getting up of the resolutions. I do not know what operated on the minds of the gentlemen who wrote them or the meeting that passed them, or who composed the meeting, and I will not undertake to interpret what they say.

Q. Had there been any public fact in the history of Yazoo, that you know of, which might help to interpret that resolution?—A. I will not answer that question. I am not going to interpret that resolution in any way.

By Mr. CAMERON:

Q. You stated that the resolutions were misunderstood and misinterpreted, and you went on to interpret them in the light of something which you claimed to know?—A. Yes, sir.

Q. Now you say you will not interpret them?—A. I say I do not interpret that particular resolution, because it relates to another county.

By the CHAIRMAN:

Q. You are familiar with the history of Yazoo County, are you not?—A. Oh, yes; and they are good, law-abiding people there.

Q. There is no difference between that and Copiah in that particular in favor of either, so far as you could say?—A. The conduct of both in any matter contrasts very favorably with the Tewksbury horror, where human beings' hides were tanned.

Q. That you know all about?—A. I have seen it stated officially.

Q. That you know all about?—A. Yes, sir.

Q. You are acquainted with Tewksbury, but not so well acquainted with Yazoo, I suppose; so you do not know what the resolution means?—A. I am pretty well acquainted with both, and I do not know anything so much to the discredit of Yazoo as of Tewksbury.

Q. I hope that some official investigation will be able to prove the things which have been told about Yazoo to be as false as the charges about Tewksbury are regarded by all sensible people.—A. It is the official statement I have referred to.

Q. What do you mean by "official statement"? What official statement did you ever see from any official there?—A. I have seen the statement emanating from the legislative investigating committee in Massachusetts.

Q. But you have seen no statement emanating from any investigating committee in Massachusetts, have you, except utterly denying and condemning those charges?—A. Was there not a committee of investigation, and did it not originate with Governor Butler himself, the governor of the State? Did he not charge it?

Q. And they found that the charges were utterly malicious.—A. Did not your governor charge it?

Q. You said you had seen official reports from the committee of the legislature. They made the charge an absolute falsehood.—A. I had seen references to the investigation by a legislative committee, and I saw the statement made by the governor.

Q. You mean the statement of Governor Butler, then?—A. Yes, sir; the governor of your State.

Q. I am not asking you in regard to what he said.—A. It has as much to do with this investigation as Yazoo County has.

Q. I wish to call your attention now to what is the question. You have said to this committee of your own accord that you considered the conduct of the people of Copiah a law-abiding people of high character (I use the substance of your statement, and not your words), and that the conduct of the last election did no discredit to their history in that respect. Thereupon I called your attention to the public meeting largely attended the day after election in that county, where the citizens, congratulating themselves upon the result of that election, say, "Copiah shakes hands with Yazoo," and I ask you if you can tell us what that means.—A. I cannot.

Q. You say you are unwilling?—A. I say I cannot interpret it.

Q. It seems that is entirely pertinent to the answer which you have heretofore made and relates to the same subject.—A. It seems to me that it is wholly irrelevant, and I will not interpret it.

Q. If you decline to answer the question we shall not undertake to press you to do it.—A. I decline to interpret the resolution.

The committee adjourned subject to the call of the chairman.

APPENDIX.

THE ELECTION OF 1883 IN MADISON COUNTY.*

I.

Statement of B. F. Garrett, chairman Republican executive committee.

[Printed in the New Orleans Times-Democrat, February 27, 1884.]

FUSION IN MISSISSIPPI—HOW IT OPERATES IN MADISON COUNTY—THE CHAIRMAN OF THE REPUBLICAN COMMITTEE GIVES THE SENATE COMMITTEE SOME INFORMATION ABOUT ONE OF ITS WITNESSES.

CANTON, MISS., *February* 22, 1884.

To the Editor of the Times-Democrat:

I desire to refute the unjust reflection of Judge H. R. Ware before the Senatorial investigating committee upon the Democrats of Madison County.† I do this unsolicited. I am a native of this county. I own real estate, and have for several years taught in the public schools of the city and county. I have been an active participant in the politics of the county since 1875. I have always worked unceasingly for the Republican party. I am now, and have been for five consecutive years, chairman of the Republican executive committee of this county. On the 4th of June, 1883, the Republican executive committee and the Democratic executive committee agreed to divide the offices equally between the two parties, and thus was brought about what is known as the "fusion movement." By the above agreement neither party lost its identity. Both parties were recognized and represented. There was no need of any other ticket, and would not have been had it not been for a few malcontents, greedy and "spoiling" for office. The Independents, by the aid of Republicans, carried the county in 1881. We affiliated with them, believing such a course would bring to us that political peace which we desired. Many months had not elapsed before they showed the "cloven foot."

The James Hill Congressional campaign found them sadly wanting. Instead of sympathy, if not support, we had their opposition. To some of them "Mr. Hill's hair was too kinky"; to others, "this was a white man's country." For this reason, and another more important, namely, the reviving of race troubles, the Republicans thought it best to adopt a plan with more hopeful results. We have accomplished the desired results.

Judge Ware says: "In Madison County the Independents formally withdrew their ticket on account of open threats that were made to kill the leaders of the party if they insisted on continuing their ticket in the field." This does the Democrats of Madison County a great injustice. If the judge had said that several colored Fusionists were bulldozed by his allies here he would have more correctly stated the case. Judge Ware was a candidate for district attorney in this judicial district. He was, indeed, an independent candidate, not being nominated by any party. The Republicans of this county had, in the division of the offices, agreed to support the Democratic nominee. Judge Ware endeavored to get us to break our promise and support him. We emphatically declined. He then began to canvass in a secret way our strong Fusion districts, and raised the race issue in its fullest sense. The Independents had no issue to present to the people, and had to manufacture campaign thunder to arouse the passions and prejudice of the blacks. The Democrats submitted to all, desiring a peaceful election, until a circular (whose author is Judge Ware) was distributed in this county. The circular was so incendiary that the chairman of the Independent committee denounced it, saying it would incite race troubles. Were it not for its length I would give it in full. However, extracts will convince the unprejudiced of its vileness:

"What happened in 1875 to put the Republicans out of power, and why is it that the Republicans for eight years have had no ticket in the field? You all know the reason

*For discussion concerning admission of these papers see Extracts from the Journal.
†See page 192 of the testimony.

why. The shot-gun policy. The Yazoo plan did the work, and has kept Republicans from the polls ever since. Who has done this? You all know it is the Democratic party.

"Mr. Miller is also a candidate for district attorney. He is a Democrat, and tried to get a law made for a whipping-post for yourselves, wives, and daughters.

"The Democrats tell you that Fusion is for peace and harmony. What does this mean? It means if you vote as they want they will allow you to vote, but if you don't vote with them they will not allow you to vote in peace."

"If we elect the Fusion ticket, what sort of peace and harmony will you have next year when we want to vote for a Republican President? The same sort of peace and harmony we had in 1875."

The judge is evidently not familiar with the politics of this county. We had a peaceful and quiet election here in 1875, the result of a fusion or compromise ticket, just the same as that elected here last November. If we have the same peace and quiet this year (which we will have unless the Independents stir up strife), the Republicans of the State and nation will say, "Well done, faithful servants."

Again, he lays aside the robe of modesty and says, "Every vote for Fusion is a nail in the coffin of the Republican party. Every vote for the Independent ticket and H. R. Ware is a nail in the Democratic coffin."

The contents of the circular from which I take the above extracts aroused the Democrats throughout the county. The sheriff, who was a candidate for re-election on the Independent ticket, had also usurped powers which the Democrats said were illegal, and to which they would not submit. Notwithstanding the provocation, no violence was done these would-be-leaders. The Independent ticket was not withdrawn, as the returns will show.

The only thing done to prevent men from voting was done by the Independents. I vote in the west ward, city of Canton. Every man voted there that wanted to on the day of the election. The Independents knew weeks before the election that they were defeated. They want some pretext to get the sympathy of the administration and to capture the Federal patronage. Whenever a colored man is a candidate and defeated the election is *fair;* when an Independent is defeated the "ballot-boxes are stuffed."

In a card dated Nov. 19, 1883, in the State Ledger, a paper published in Jackson, Miss., Judge Ware says he is responsible for the circular distributed in this county on the eve of the election.

In writing of this I am actuated by no other motive than to perpetuate the present state of feeling between the races in this county. I feel it my duty as a Republican and citizen to exonerate the good people of Madison from such an unjust imputation.

The Republicans have several important county officers as the result of the recent election. The angel of peace is in our midst and never since the emancipation have the whites and blacks been on such friendly political terms.

Investigating committees and "all sorts politics" will not bring us the much needed peace. The New York Times has the right conception of our troubles. If the administration will cease to aid these disgruntled office-seekers I believe the day is not far distant when political troubles will be things of the past. I long to see the day when every county in this State can say, as Madison, "Peace, good will to all; malice toward none."

B. F. GARRETT,
Chairman Republican Executive Committee.

II.

Statement of H. R. Ware, assistant United States district attorney for Mississippi.

JACKSON, MISS., *March* 10, 1884.

To the honorable members of the Senate Investigating Committee on Mississippi Elections:

GENTLEMEN: I notice in the New Orleans Times-Democrat of February 27 the Democratic party of Madison County, under the *nom de plume* of B. F. Garrett, undertakes to defend their record by a voluminous statement of alleged facts, and that this statement of the party, by its *nom de plume*, has been offered as evidence before your committee. I do not wish to make any statements of my own in reply, except to cite you to the appended history of the revolution in Madison, as given by eye-witnesses of the facts referred to.

These witnesses I know personally and well, and they will take rank for character and social standing with the citizens of any community. It will be seen that what I

said in my examination before the committee in New Orleans was not only true, but that I only faintly outlined the terrible crimes against liberty which were then committed in that unfortunate country, where "the angel of peace" dwells. As a matter of history it is true that I was a candidate for district attorney, but not, as stated, on my own responsibility. I was indorsed by the only convention held in opposition to the Democratic party in the counties of Madison, Hinds, and Copiah. (See letter from John T. Hull, page 664.)

As a candidate I made a vigorous canvass through Madison County, not secretly, as charged, but announced by standing advertisements in the local press and by handbills scattered broadcast. In my speeches I made no appeal to any particular class of citizens. The charge that I raised the race issue is as absurd as it is mendacious. It is charged that the Democrats submitted to all, desiring a peaceful election until a circular (whose author is Judge Ware) was distributed in the county; and that this circular was incendiary in its character, and thereby, it would seem, a justification of Democratic acts of lawlessness. It will be seen by reference to my letter published in the Jackson Ledger, November 19, 1883, to which allusion is made, what confidence can be placed in this Democratic *nom de plume*. Because the letter expressly says "I neither wrote, published, nor circulated said address;" the Independent executive committee of Madison County published that I had "nothing to do with publication or circulation of said address." True it was, I stated then, as I do now, that this address was a true, legitimate, and proper campaign document, and that I stood then, as I do now, responsible for it. From a letter in Times-Democrat, written as heretofore stated, it seems that they regard the allusion to the Democratic candidate for district attorney as being the author of the whipping-post bill as being "incendiary language"; yet here is what the Vicksburg Post and Brookhaven Leader say on the 7th of March last:

"The Brookhaven Leader intimates that the honorable R. N. Miller, district attorney of the ninth judicial district, is the author of the now celebrated 'Copiah resolutions.' This is the same individual, if we mistake not, who, when a member of the legislature, introduced the 'whipping-post' bill. Mr. Miller, if he is the author of the Copiah resolutions, has achieved a great amount of reputation and distinction—of a certain kind; a reputation not at all to be envied."

What kind of Republicans would one suppose these to have been, who "agreed to support this Democratic nominee." Now as to the facts in the Madison County resolution, the evidence of witnesses in their written statements goes to show that fraudulent and high-handed methods were adopted by the Democracy, not excelled by their partners in Copiah County, excepting only the murder of J. P. Matthews. (See published statement herewith annexed.) These outrageous and scandalous acts were so notorious that a resolution was adopted as stated by me in my examination, substantially withdrawing the ticket. (See resolution given in annexed statement.) Before the adoption of this resolution Dr. B. F. Passmore, chairman, before the Independent executive committee, said he "knew whereof he spoke, and any attempt on the part of the Independents to carry the election would result in murder and assassination. (See annexed statements.) That his fears were well grounded, and that he spoke from knowledge will be seen from the following extracts from the Picket, the Democratic organ of Madison County:

"Where was Dr. Toles on election day? In the 'corn crib,' or 'hospital?' But he was no worse than the other Independent candidates, who after working the county for several months to get votes, when the voters wanted to go to the polls would not go with them. When colored Independents saw such conduct is it a wonder that they went home disgusted, or voted the Fusion ticket?"—*Picket, November 9.*

"Fusion candidates said to voters, 'Come with me and vote for me.' The Independent candidates said, 'You go over there and vote for me. I'll stay here near the post-office.'"—*Picket, November 9.*

III.

Letter to the clerk of the committee authorizing Judge Ware's signature.

JACKSON, MISS., *March* 12, 1884.

W. E. BARRETT:

DEAR SIR: In my statement, which I sent by express yesterday, connected with the Madison County election, I inadvertently neglected to sign my name to it. Will you do me the kindness to sign my name for me, and this shall be your authority for doing so.

If our friends on the committee think it will strengthen my statement and the testimony annexed, by my making an affidavit to its truth in the usual way, I will do so, and forward it to you upon your notification.

Respectfully,

(Signed) H. R. WARE.

IV.

Statement concerning the political campaign and election in Madison County, Mississippi, in 1883.

A majority of the Republican committee of Madison County voted to fuse with the Democrats in said election. The chairman of the committee then called a convention of *such Republicans as were in favor of the action of the committee* for the purpose of ratifying their action and to nominate such officers as had been assigned to the Republicans in said Fusion agreement. The following is the printed call for said convention:

PROCEEDINGS OF THE REPUBLICAN EXECUTIVE COMMITTEE OF MADISON COUNTY.

At a conference meeting of the Democratic and Republican executive committees of Madison County, held at Canton, Miss., Monday, the 4th day of June, A. D. 1883, it was agreed between said committees, subject to the ratification of the two parties, that the following officers should be nominated by the Democratic party and indorsed and voted for by both parties, to wit:

Senator, sheriff, chancery clerk, district attorney, treasurer, coroner, and ranger, and one justice of the peace in each beat, and half the constables, and three members of the board of supervisors; and that the following officers should be nominated by the Republicans and indorsed and voted for by both parties, to wit:

Two representatives, circuit clerk, assessor, two members of the board of supervisors—one from beat 1 and one from beat 3—two justices of the peace in beat 3 and one in each other beat, and one-half the constables.

The Independents submitted the following proposition to the colored citizens: One representative, circuit clerk, assessor, two supervisors, and an equal division of the justices of peace and constables. The Independents' proposition was rejected.

The Republican committee believe the interests of the county will be better subserved by accepting the Democrats' terms. Therefore those Republicans *who approve the action of the committee* will assemble in their respective supervisor's districts and nominate beat officers and select fifteen delegates to each beat, who will assemble in county Republican convention in Canton, on July 2d. The beat conventions will be held in beat 1 on June 28th, and beats 2, 3, 4, and 5 June 30, at 12 o'clock.

The meetings will be held in—

Beat 1 at Canton.
Beat 2 at Vernon.
Beat 3 at York's Springs.
Beat 4 at Sharon.
Beat 5 at Andrews Chapel.

B. F. GARRETT,
Chairman Republican Executive Committee.

M. LEVY,
Secretary.

The Republicans of the county were almost unanimously opposed to the Fusion movement and ignored said convention. The prime movers of the Fusion movement on the part of the colored voters, viz: B. F. Garrett, Sam. Lewis, Charley Montgomery, Clifton Reid, and Frank Henry were nominated for office on the Fusion ticket. It soon became apparent that the Republicans would almost unanimously support the Independent ticket, and that that ticket would be elected. During the campaign threats of violence were freely made to Republicans by the Fusionists. On Saturday prior to the election the sheriff of the county (who was a candidate for re-election on the Independent ticket), at the earnest request of many citizens, appointed twenty-one citizens of Canton special deputies to act as peace officers at Canton on the day of election. The men so appointed were the very best citizens of Canton. No objections could possibly be urged against any one of them. Care was taken to appoint no man who was a pronounced Independent; all were men who had acted with the Democrats; many of them were pronounced Fusionists; none of them had ever been known as Republicans; none of them were young men; nearly all were men passed the middle age of life; men of family, property, and standing; all were merchants and business men of Canton.

The appointment of these peace officers, and the circulation of an address to the Republicans of the county from the State central Republican committee were made the pretext, on the part of Fusionists, for a resort to extreme measures on their part.

The chairman of the Democratic committee, with other Fusionists, called upon the sheriff and informed him that in no event would his special deputies be allowed to act

as peace officers on election day; that they would be resisted and run over if they attempted it.

The Fusionists attempted to justify their course upon the ground that the Independents were raising the race issue and arraying the blacks against the whites by the circulation of the address above referred to; that said address was incendiary, &c. The excitement raised by the Fusionists was so great, and so great were the demonstrations of violence, that the Independents suppressed said circular after a few copies had been circulated on the streets of Canton. But the Democrats printed said address with a new heading, and sent it by special couriers to prominent Democrats all over the county. The following is the address, in its new dress, as sent out by the Democrats:

THE INDEPENDENTS UNMASKED.

To the Democrats of Madison County:

The following circular is being clandestinely circulated by the Independents to the negroes from one end of the county to the other, for the purpose of stirring up race prejudices and a feeling of hostility to the Democratic party.

Let every white man in Madison County read, reflect, and digest it, and go to the polls next Tuesday with the memory of 1875 before him, and the assurance that upon his vote hangs the destiny for weal or woe of himself, his wife, and children.

ROBT. POWELL,
Chairman Dem. Ex. Committee.

CANTON, *Nov. 3d*, 1883.

AN ADDRESS OF THE STATE CENTRAL REPUBLICAN COMMITTEE OF MISSISSIPPI TO THE REPUBLICANS OF MADISON COUNTY.

On Tuesday next you have an election for county officers and district attorney. There is no Republican ticket in the field. There is the Fusion and Independent tickets. Why have you no Republican ticket? We all know that the Republicans of your county are in the majority. You had all Republican officers in the county until 1875. The Republicans of the State are largely in the majority. We had a Republican governor and all State officers were Republicans until 1875.

What happened in 1875 to put the Republicans out of power, and why is it that the Republicans for eight years have had no tickets in the field? You all know the reason why. The shot-gun policy; the Yazoo plan did the work and has kept Republicans from the polls ever since. Who has done this? You all know it is the Democratic party.

But the Republican party is not yet dead. If you cannot elect Republicans to office in your county and State, we want by all means to elect a Republican President in 1884. Every good Republican will ask himself how he ought to vote in this election in order to help the Republican party in the Presidential election. Can Republicans help their party by voting for and electing Democratic officers, so that everything will be in the hands of the Democrats next election? No! You had eight years of Democratic rule and you know how that is.

Anything the Republicans can do to defeat the Democratic party helps the Republican party. It was for this reason that the State Republican committee by unanimous resolution advised the Republicans of all the counties, who could not run a ticket of their own, to vote for and with any party that was opposed to the Democracy. If you cannot elect Republicans to office, elect such men as are opposed to the Democrats.

The Independent party is opposed to Democracy. Hear what the Canton Picket, a Democratic paper, says:

"*The object of the Independent party is to break up the Democratic party.*"

The Picket states the case correctly. Such being the case, is it not the duty of every Republican to assist the Independent party in breaking up the Democratic party. If the Republicans are not allowed to run a Republican ticket, they should by all means vote for and with that party who are trying to defeat the Democrats. They should vote for that party which is in favor of fair elections and an honest count.

If fusion was a good thing for the Republican party, such men as Dr. Passmore and Captain Pratt, true and tried Republicans of your county, would be in it. Such men are safe to follow. Will you Republicans follow the advice of such men; the advice of the State Republican committee, or will you follow Ben Garrett and Sam Lewis, who have sold out to the Democracy and are trying to sell you out? But Ben and Sam tell you they are still Republicans. Let us see about that. "By their fruits shall ye know them," says the Scripture.

H. R. Ware is a candidate for district attorney. He has been a prominent Republican ever since the war. He has been for many years assistant district attorney of the United States for the State of Mississippi, appointed by the Republican President of the United States. He is secretary of the Republican State executive committee.

He is chairman of the State Republican central committee. He is indorsed for district attorney by such men as John R. Lynch, J. J. Spelman, and every white Republican in the State.

Mr. Miller is also a candidate. He is a Democrat, and tried to get a law made for a whipping-post for yourselves, wives, and daughters.

Now, Ben. and Sam. openly advocate the election of Mr. Miller, the Democrat, instead of Mr. Ware, the Republican. Can you ask any better evidence than this that they have sold out to the Democrats? And then you know Ben. and Sam. were never Republicans to hurt anyhow, except when they wanted office.

The Democrats tell you that Fusion is for peace and harmony. What does this mean? It means if you will vote as they want they will allow you to vote, but if you don't vote with them they will not allow you to vote in peace.

Republicans, can you join or vote with such a party? or will you vote for and with a party that is opposed to such bulldozing?

If we elect the Fusion ticket what sort of peace and harmony will we have next year when we want to vote for a Republican President? The same sort of peace and harmony we had in 1875. The colored men of the South, with exceptions like Ben., Sam., and Joe., have always been true to the Republican party, to their families, and their country. The Republican State committee and Republicans in Washington and President Arthur expect the colored men of Madison County to be still true to their faith and to vote in this election against the Democratic party. Republicans of Madison County remember every vote for Fusion is a nail in the coffin of the Republican party. Every vote for the Independent party and H. R. Ware is a nail in the Democratic coffin. Let us elect the Independent ticket this year, and next year we will, with the help of the Independents, carry the county and State for a Republican President. Republicans of Madison do your duty.

CANVASS IN MADISON COUNTY.

For a few days before the election great excitement prevailed throughout the county on account of threats of violence and lawless acts by the Democrats.

Houses of colored men were visited at midnight by armed bands, pistols discharged into the houses, the doors broken down, the inmates beat with pistols, and in some cases taken out, stripped, and whipped. The reason given for these outrages was that the parties were supposed to have Independent tickets in their possession for distribution, or had announced their intention to support the Independent ticket. They were all cautioned against taking any further part in politics, and threatened with death if they went to the polls on election day, or ever divulged the names of the parties.

The persons so visited well know the names of the parties, but do not dare to publicly make them known. These outrages, perpetrated mostly in beat 4, kept most of the Republicans of that beat from going to the polls on election day.

On Monday, the day before election, the Independent executive committee met at Canton. The chairman, Dr. B. F. Passmore, a Southern man and an old resident of the county, addressed the committee, and most earnestly advised it to abandon the ticket. Said that he knew whereof he spoke, and that any attempt on the part of the Independents to carry the election would be attended with bloodshed and assassination. He had agreed to serve as challenger on election day at one of the Canton boxes, but he informed the committee that he could not serve for the reason that he believed that if he did his duty as challenger he would be killed before election day was over; that he was fully convinced that unless the effort to carry the election was abandoned by the Independents, Captain Pratt, the postmaster of Canton, T. H. Weathersby, the sheriff, and certain others that he named would be killed. All the members of the committee agreed with the chairman as to the danger of the situation, but some of them were in favor of an attempt to assert their right at the polls, even at the risk of a sacrifice of their lives. The committee finally adopted the following resolution, and voted that their action should at once be made known, in order to appease the Democrats and prevent any acts of violence on that night, which was feared toward prominent Republicans, some of whom, with their families, slept away from home at night during the excitement.

RESOLUTIONS.

Resolved, That we, the Independent executive committee of Madison County, believing that, from demonstrations of leaders of the Fusion party, any effort to enforce our rights at the ballot-box would be productive of bloodshed, violence, and lawlessness, and that murder and assassination are contemplated by the Fusion leaders; therefore,

Resolved, That we, the executive committee, and candidates of the Independent party leave the untrammeled control of this election to the opposition; and believing that the rights of all non-partisan voters are trampled upon, when ours are so treated, we appeal to that element to vindicate our course.

B. F. PASSMORE, *Chairman.*

J. L. JONES, *Secretary.*

On election day at Canton both voting places were taken possession of by the Fusionists, who completely surrounded the boxes and took charge of the door of entrance to the rooms. All colored voters were required to vote an open ticket, and to show their tickets at the door before entering. If they showed an Independent ticket, or declared an intention to vote one, they were told that no Independent could vote there, and they were pushed to one side. Nearly all the colored voters of the Canton district were thus deprived of the right to vote. All of beat No. 1 vote at Canton.

One person took the names of 144 Republicans who were kept from the polls at Canton, because they would not vote the Fusion ticket. There are 1,846 registered voters at the Canton boxes (all the voters of beat No. 1 vote at Canton). Seven hundred and forty-eight votes were returned; 686 for the Fusion ticket, and 62 for the Independent ticket. This beat is overwhelmingly Republican.

The statute of the State provides that the governor, secretary of state, and lieutenant governor shall appoint for each county three commissioners of election, whose duty it is to appoint the inspectors of election for each voting precinct, and to have a general supervision of the election, canvass the returns made by the inspectors, and declare the result. The commissioners so appointed for this county were all Fusionists, and they in turn appointed all Fusionists as inspectors.

At the Madisonville box Fusionists, armed with shot-guns, took possession of the polls, stacked their guns at the ballot-box, and announced that no Independent could vote at that box.

Some colored Republicans who insisted upon voting the Independent ticket were beaten with pistols, guns drawn upon them and driven from the polls, and the Republicans generally were driven off. Forty-seven Fusion votes and 4 Independent votes were cast. Over 200 voters are registered and entitled to vote at that box. The 47 votes returned for Fusion are in excess of the whole number of Fusion voters in that precinct. The precinct is largely Republican.

At the Sharpsburg box the polls were held in a closed room, and no Independents admitted. Republicans who wanted to vote the Independent ticket were beaten with pistols and ax-handles. The beat is overwhelmingly Republican. Two hundred and forty-five votes were returned for Fusion and 33 for Independents. Similar frauds were perpetrated and violence committed at other voting precincts in the county, a history of which would be tedious to read.

It is admitted on all sides that the Independent ticket was composed of equally as good men as the Fusion ticket; the former had one more white man, and consequently one less colored man on it than the latter.

The white men on the Independent ticket were all Southern men; all residents of the county for many years, and most of them natives of the county. All men of property, and all men who had acted with the Democratic party in politics in the past; all men against whose personal character nothing was charged by the Democracy during the campaign.

CANTON, MISS., *December* 1, 1883.

V.

Statement of Sheriff Weathersby, of Madison County.

CANTON, MISS., *December* 7, 1883.

I, T. H. Weathersby, am sheriff of Madison County, Mississippi; was elected two years ago on the Independent ticket; was a candidate for re-election on the same ticket at last election; I have read the foregoing statement concerning last election, and seen voucher for same, and can say that not half has been told.

I was a Democrat until the formation of the Independent party of this county in 1881; am forty-five years old; have lived in this county since 1857; I own personal property and real estate to the amount of ten or twelve thousand dollars in this county, and have never, as yet, failed to pay taxes on same.

(Signed) T. H. WEATHERSBY,
Sheriff.

VI.

Statement of J. W. Downs.

I certify that I have resided in the State of Mississippi since my childhood; that I am fifty-nine years of age; that I have held the office of probate judge for four years; that I have served six years in the State legislature; that I have been a prac-

ticing attorney at law for thirty-eight years; that I have all the time acted and voted with the Democratic party till I united with the Independent party in 1879; that I was not a candidate at the late election, nor did I take any active part in the canvass, but voted the Independent ticket at Canton; and while I know but little of my own knowledge as to the manner in which the canvass was conducted, I state from information that I deem reliable that the facts and statements contained in the accompanying documents show the true political situation in Madison County.

(Signed) J. W. DOWNS.

VII.

Statement of J. W. Baughn, circuit clerk, Madison County.

CANTON, MISS., *December* 6, 1883.

I, J. W. Baughn, am clerk of the circuit court of Madison County, Mississippi; was elected in 1879, on the Democratic ticket; have been a Democrat for thirty-four years; am fifty-five years of age; have lived in Canton, Miss., thirty-one years; have read the foregoing statement concerning the late election held in this county November 6, 1883, and know from my own knowledge, and from reliable information that said statement presents the true state of facts concerning said election. I did not affiliate with the Independent party, but ran as a candidate for re-election independent of all parties.

(Signed) J. W. BAUGHN,
Circuit Clerk of Madison County, State of Mississippi.

VIII.

Statement of T. S. Ward.

My name is T. S. Ward; age twenty-nine years; a practicing attorney at Canton, Madison County, Miss. Am interested in agriculture to some extent in Madison County; own about 2,300 acres of land, devoted to farming and stock raising. Born and reared in said county. My family and relatives have been citizens of this county for more than fifty years. Was nominated for State senator on the Independent ticket, in July, 1883. Prior to that date had never been a candidate for any office. Had never participated to any extent in political matters. My family were Whigs prior to the war of 1861, but since that time have, all of them, acted and voted with the Democratic party. None of them were ever Republicans, nor was I in any manner ever connected with politics myself till the election of 1881. In that election I voted for the majority of the Independent candidates.

Was at Sharpsburg, a voting precinct, 10 miles from this place, on the Illinois Central Railroad, at a public speaking had at that point during the recent campaign. On that occasion a prominent gentleman living near by told me facts which I detail below. He was cordially disposed towards me and spoke in the friendliest manner. He had known me from my boyhood, and being many years my senior, he took the liberty to advise me. He said:

"Sir, I tell you *this thing* that has occurred here *to-day* (referring to the insults and interruptions offered Mr. McBride, the Independent candidate, who had spoken or *attempted to speak* on that day) is but a foretaste of what the Democracy intend doing. They are more aroused and incensed against you Independents than they ever were against Republicans in 1875. They believe that with your standing, influence, and personal friendships evoked to your aid, Mississippi will be remanded to Republican rule. We think you will break down the Democratic party, and with the Democratic ranks disrupted Republicanism is inevitable. I tell you, sir, you cannot be elected. You are good men, but so much the worse for you. There are here at this box (Sharpsburg) forty men who have sworn that you and Weathersby (the Independent candidate for sheriff) shall not take your seats if you and he are elected. If you get 300 votes at this box (Sharpsburg), they swear you shall not have 2 votes counted for you. I was in Canton last week, and *they talk it openly to count you all out, or to shoot you out!* I beg you, as a young man whom I like, to go back to Canton and refuse to run. Come down and refuse to oppose this state of things."

These are nearly the exact words the gentleman used. He was a prominent citizen and an enthusiastic supporter of the so-called Fusion ticket, his son-in-law being a candidate thereon. The aforesaid conversation with me was private, and I believe

he said what was true, and the result showed his forecast of the state of things as about correct. A squad of men in his precinct rode around among the negroes in that beat at night, and threatened them, if they voted at all, it must be the Fusion ticket. One of them told tenants on a plantation of mine near Sharpsburg that if they dared to vote the Independent ticket he would cut their throats. I had many friends among the Fusion ranks who, in confidence, assured me three days before the 6th of November that they (the Fusionists) had abandoned all hopes of carrying the election unless they could have everything their own way with the ballot-boxes. Our majority conceded by them, so I learned through avenues of information which gave their private estimate, was 800 or 1,000. I am sure we would have carried the county by 900 or 1,200. I did not vote on election day, for the reason that I knew the whole thing was a mockery and a sham, and I never degraded myself by a recognition of it as an election. I went to the polls at Canton and had my own tenantry, whom I registered a week before, turned from the polls as being "unregistered;"(?) others, "names could not be found;"(!) others, "did not have the right ticket," (!) &c.

When a negro with a ticket in hand applied, unless he was escorted by a Fusion henchman, his ticket was unrolled and examined, and three times out of four it was thrown down on the floor and another ticket substituted.

This hollow mockery, than which a more bottomless swindle was never thrust upon a civilized people, they dignified as a "free and peaceable election." The "freedom and peace and harmony" discoursed upon by one B. F. Garrett, in a recent letter which was prepared by his masters and signed by him, may be well described as the freedom of the grave-yard, the peace of perdition, and the harmony of hell.

I have seen the statement made in the Times-Democrat of New Orleans, La., by the aforesaid Garrett. He is a dirty tool, and as clay in the potter's hands for a set of bulldozing Democratic cliques, who have lost all sense of decency or shame. I believe that it was only in the columns of the Times-Democrat that publicity could have been given to this tissue of slanderous untruth signed by Garrett. The Picayune, with whose gifted editress I am well acquainted, would have consigned it to the waste-basket. This negro, Garrett, is unworthy of belief, and a negro despised by his own race, and without character among the whites; he has taken bribes in the city election of Canton and betrayed the very master whose hand he was apparently licking. His private character is as detestable as his political career has been traitorous and corrupt.

I have read all the statements in regard to the late election by A. J. Sneed, J. G. McBride, and the sheet attached hereto, entitled a statement of the campaign and election in Madison County, Mississippi.

I know the parties, and have every reason to believe their statements. The gentlemen are high-standing, honored citizens of our country.

(Signed) T. S. WARD.

IX.

Statement of S. H. H. Toles, M. D.

CANTON, MISS., *March* 1, 1884.

I, S. H. H. Toles, am a colored physician of Canton, Miss. I was formerly from Cleveland, Ohio. Have lived in this county for the past sixteen years, and have always been an active Republican. Was a member of the county executive committee until 1875, when the Republicans abandoned their organization. In 1879 Ben. Garrett got a few Republicans of Canton together and organized a Republican committee, with himself as chairman. It was a self-constituted committee. No convention was held, as at that time Republicans could not safely hold a convention; at least they did not wish to try it. In 1882 a convention of Republicans was held, and a Republican committee duly elected, with Garrett as chairman, but said committee did not represent the Republicans of the county, for the reason that little or no interest was taken in the matter, and the beat conventions were not attended by many Republicans. Mr. Garrett by no means represents the Republicans of the county. I canvassed the county in the last election, and know that the sentiment of the colored Republicans is almost unanimous that they were sold out by Ben. Garrett, Sam. Lewis, and two or three others, leaders of the Fusion movement, all of whom secured office under said movement. I have read the paper annexed hereto, entitled "Statement concerning the political campaign and election in," &c., and know its contents to be true.

I have read the letter of B. F. Garrett to the New Orleans Times-Democrat, and can say that it is in many things false. He has always been an ambitious office-seeker, but never succeeded in getting an office until the last election. During the last campaign

I was threatened by violence by the Fusionists. Myself and family slept away from home at night. Did not go out on election day, as I did not deem it safe so to do. It is a well known fact that Judge Ware did not write the circular spoken of in Garrett's letter, and it was so announced in the papers by authority of the county Independent committee, but when the Fusionists raised so much fuss about it and called for the author, Judge Ware came to the front, and in a card in the papers announced himself as responsible for its authorship.

(Signed) S. H. H. TOLES, M. D.

X.

Statement of J. G. McBride.

Am a lawyer by profession; a native of this State and county; twenty-seven years of age. Voted a Democratic ticket in 1880 for the first and last time. Since then have taken an active part against the Democrats in co-operation with the Republicans, and will vote with the Republicans in the national election this year. Was on the streets of Canton (my voting place) on election day, November, 1883. Stood in full sight of the polls and saw colored Republicans driven away by hundreds because they would not vote the Fusion ticket (the ticket on which B. F. Garrett was a candidate for clerk of circuit court). I know the reputation of said Garrett among the Republicans of this county very well. They regard him as an unprincipled scheming trickster, of totally depraved, corrupt, and unscrupulous character, wholly unworthy of belief. Their almost universal sentiment is that he and two or three of his fellow-schemers sold out the Republican party to get offices for themselves. His letter, denying statements of Judge Ware relative to affairs of Madison County, is replete with false assertions. The general opinion here is that Garrett did not write the letter over his signature in the Times-Democrat, but that it was written by his ballot-thieving Democratic friends, who were beginning to tremble for fear that the Senate committee would investigate their rottenness in Madison County; and they simply used their partner in crime, B. F. Garrett, as a cat's-paw to shield them from an investigation that would have proved disastrous to them.

Said Garrett is now circuit clerk of this county and owes his seat to the same infamous methods, ballot-box stuffing and bulldozing, which his Democratic allies, whom his letter seeks to shield, have heretofore employed to defeat Republicans. He ran on the Democratic ticket in 1879 for the legislature, and pledged himself on the stump to vote for Lamar for United States Senator if elected. He is a chronic office-seeker and has been seeking office ever since he was a school-boy and always defeated until the last election, when he was "counted in" by Democrats. It is well known that Judge Ware was not the author of the "circular," and it was so announced in a card published in a paper here signed by a member of the Independent executive committee of Madison County. But as the Fusionists called for the responsible author Judge Ware announced himself as responsible for it.

I have read the annexed statement, headed "Statement concerning the political campaign and election in Madison County, Mississippi, in 1883," and find that the account given therein is true and correct, except that the worst features of said election are omitted therein.

(Signed) J. G. McBRIDE.

XI.

Statement of A. J. Sneed.

CANTON, MISS., *March* 7, 1884.

I, A. J. Sneed, am a farmer by profession; thirty-seven years of age. Have lived in this county thirty-five years, and was born in the State. Voted with the Democrats until 1879, at which time I thought I could see no good in the Democratic party and I joined the Independents. Am now a Republican and will vote with the Republicans in the national election this year.

I have read the paper annexed hereto headed "Statement concerning the political campaign and the election in Madison County in 1883," and have read the statement of J. G. McBride annexed hereto, and fully indorse as true and correct both of said statements.

I vote in Canton at the West ward, and was there during the day of election, and I know the statement made by B. F. Garrett (in his letter to Lewis Dennett) is wholly false, as I saw with my own eyes crowds of Republicans leaving the polls because

they were not allowed to vote the Independent and Republican ticket. B. F. Garrett, in his letter to the Times-Democrat, claims to have been chairman of the Republican party. For years, since 1875, there has been really no organization of the Republican party in this county until 1882, and the Republican committee organized at that time do not represent the sentiments of more than one-tenth of the Republican voters of this county.

Respectfully,

(Signed) A. J. SNEED.

XII.

Statement of Arnold Dickinson.

I, Arnold Dickinson, am a citizen of Madison County, and a Republican.

I have read the paper annexed hereto, entitled "Statement concerning political campaign and election," &c., and indorse the same in every particular as true. The facts are much worse than stated therein.

I was in Canton on election day. That is my voting place. Myself and hundreds of other colored Republicans were prevented from voting. The Fusionists, who surrounded the doors of the house in which the polls were held, prevented by violence colored voters from entering the room unless they would vote the Fusion ticket. I made several attempts to reach the polls but was driven back every time. I sought the sheriff, who was a candidate for re-election on the Independent ticket and told him how things were going, and he told me to tell the colored people to go home, as he did not want any of them killed on his account.

I am a school-teacher, and have taught in this county for seven years to the satisfaction of the county superintendent and patrons of the school. Since the election I have been told by the county superintendent of education that I could not teach any more in this county, and he gave as a reason that I supported the Independent ticket. Other teachers who supported the Independent ticket have been deprived of their schools and the same reason given therefor. Teachers who supported the Fusion ticket are employed to teach the schools of the county. This is one of many of the results of that "Angel of Peace in our midst," spoken of by Mr. Garrett in his letter to the New Orleans Times-Democrat. I have known Ben Garrett since a boy. He has always been scrambling for office, but never succeeded till now. He does not represent the Republicans of this county. Not more than one out of ten of the Republicans of the county indorse him. In the last election they were almost unanimously against him and the Fusion movement. He would never have been a member of the Republican committee but for the fact that the Republicans had no organization in this county after 1875 until 1882. The convention that elected the present Republican committee exhibited little or no interest, and was not generally attended by the Republicans of the county.

(Signed) ARNOLD F. DICKINSON.

CANTON, MISS., *March* 7, 1884.

XIII.

Statement of A. H. Bilbo.

CANTON, MISS., *March* 1, 1884.

I, A. H. Bilbo, am a citizen of Madison County, Mississippi, and have been for most of the time, past twenty-eight years; am fifty-eight years old, and have been a Republican ever since the war, and have actively worked with that party. In 1875 the Republicans abandoned their organization, and there existed in this county no regularly organized Republican committee, until the summer or 1882, during the Congressional campaign, when a Republican committee was organized, with B. F. Garrett chairman. No public notice was given of the convention to organize the committee, and the Republicans generally of the county did not participate in it, knowing nothing of it. The Republican committee as now organized does not represent the sentiment of the Republicans of this county. I was actively engaged in the political canvass of 1883, and the almost unanimous sentiment of the Republicans of the county was that they had been sold out to the Democracy by B. F. Garrett.

I was president of the board of supervisors of Madison County for the years 1882 and 1883.

I have read the annexed statement of the conduct of the late campaign and election and indorse the same as truthful and in accordance with the true state of facts, except that the worst features of the election are suppressed in said statement.

I vote at Canton, and on election day took the names of 144 colored Republicans who were not allowed to vote because they wanted to vote the Independent ticket. With a fair election I am satisfied the Independents would have carried the election by 1,500 majority.

B. F. Garrett is a chronic office-seeker. He was candidate for representative on the Democratic ticket in 1879, and pledged himself, if elected, to vote for Lamar for United States Senator; has been trying to get the post-office at Canton for three years last past; has run for alderman of Canton, and has been always striving for office, but always defeated until the last election. He does not command the respect or support of the Republicans of the county, either white or black. The circular mentioned in Garrett's letter and in the said "statement" was, as is well known, not written by Judge Ware. It was presented to and indorsed by the Independent executive committee of the county before Judge Ware saw it, but when the Fusionists raised a howl and demanded the author, Judge Ware published a card declaring himself responsible for its authorship.

I have read the letter of B. F. Garrett to the New Orleans Times-Democrat, and know that the statements therein—that the Independents of the county opposed James Hill in the Congressional election in 1882; that colored Fusionists were bulldozed by Independents in the last election; that the only thing done to prevent men from voting was by the Independents; that every man voted at the west ward in Canton that wanted to—are notoriously untrue.

Many prominent Democrats, citizens of the county, publicly declared that the last election was a shameless fraud.

(Signed) A. H. BILBO.

XIV.

Statement of John T. Hull.

JACKSON, MISS., *March* 10, 1884.

MY DEAR SIR: It is a well known fact that you were indorsed as a candidate for district attorney by party conventions in three counties. By the Independent and Republican convention of Madison County, July 16; by the Independent and Republican convention of Copiah County, August 11; and by the People's convention of Hinds County, composed of Independents and Republicans, September 10. I was present at these conventions and remember them as being unusually large and enthusiastic, embracing representative men of their respective parties throughout the counties. In Yazoo County, there being no organization of Republicans or Independents, no convention was held.

Very respectfully,

(Signed) JNO. T. HULL,
Chairman State Executive Committee of Independent Party.

INDEX.

LIST OF WITNESSES.

Page.

Adams, Wirt, jr. 468
Allen, J. B 178
Allen, W. L 159
Andre, A. F 477
Bangston, G. M 246, 289
Barksdale, E 642
Barlow, D. C 243
Barlow, H. H 238
Beacham, S. P 511
Bell, D. D. (colored) 66
Bingham, W. B 591
Birdsong, L. F 277
Bondurant, J. W 94
Bridewell, L. O 381
Brown, E. W 535
Brown, W. H 158
Bufkin, F. M 256
Butkin, H. F 175
Bufkin, H. L 203
Bufkin, W. W 183
Burch, D. S 397
Burnett, A. W 26, 265, 621
Calhoun, S. S 470
Catchings, Orange (colored) 355
Chiles, L. F 516
Conn, B. F 600
Conn, H. C 597, 615
Cook, W. W 327
Cooper, T. E 449
Coxwell, Richard 162
Crump, Daniel (colored) 360
Dameron, J. T 211
Daniel, Lee 357
De Celle, J. S 602
De Mar, Napoleon (colored) 249
Dodds, George S 484, 503
Dunbar, J. W 200
Earnes, H. A 293
Edwards, Henry (colored) 145
Enochs, I. C 394
Ford, C. W 170
Fore, John 603
Fortner, Handy (colored) 77
Fugate, Braxton 287
Gilmore, Isham (colored) 84
Gilmore, Wallace (colored) 215
Goff, J. M 389
Gohaken, Aleck 155
Gowin, W. W 561, 611
Goza, B. F 184
Gwin, Sylvester 465
Hamilton, G. B 108
Hargrave, T. J 565
Hayes, Frank (colored) 344
Hayes, Mrs. Frank (colored) 346
Hogg, H. H 615
Hull, J. T 368
Hurd, J. H 349

Page.
Johnson, H. B. (colored) 309
Jones, J. B 122
Jordan, William (colored) 153
King, P. B 347
Lewis, A. G 519
Lomax, A. A 227
McNair, A. C 596
McNeece, Judson (colored) 217
Matthews, G. E 391
Matthews, L. H 1,637
Matthews, J. E 233, 242
Matthews, J. M 113
Matthews, J. Meredith 19, 57
Matthews, Jessie 63
Matthews, Mrs. M. C 35
Matthews, Mary J 61
Matthews, S. C 108
Matthews, S. S 64
Matthews, T. E 196
Meade, J. L 551
Middleton, J. B 406
Millsaps, Uriah 422
Millsaps, W. G 219
Mims, R. B 273
Mitchell, W. L 266
Moore, A. G 515
Mortimer, G. J 540
Nelson, G. B 533
Norman, J. M 300, 544
Oliver, C. L. (colored) 90
Oliver, William 290
Parker, J. T 223
Pitts, A. B 168
Pollard, Henry (colored) 80
Price, C 530
Price, Daniel (colored) 550
Ramsey, Noah 182
Rials, R. B 340
Robertson, W. F 250
Robinson, Curtis (colored) 311
Rowan, E. A 458
Sandifer, Benjamin (colored) 358
Sessions, F. M 364
Sessions, J. F 595
Sexton, J. S 576, 587, 614
Shields, Jefferson (colored) 147
Sinclair, Thomas (colored) 149
Smith, J. B. (colored) 155
Smith, N. B 341
Smith, Solomon (colored) 359
Spence, O. H 521
Stanley, J. K 481
Thompson, Jack (colored) 87
Thompson, J. H 315
Thompson, R. H 558
Tillman, Yancy 244
Wall, E. G 463
Wallis, Joseph (colored) 72
Wallis, Salina (colored) 69
Wallis, Timothy (colored) 75
Ware, H. R 189
Ware, J. S 356
Ware, W. P 206
West, Robert (colored) 82
Wharton, T. J 436
Wilkinson, W. C 523
Williamson, E. C 131
Woods, D. C 543
Wright, D. C 172, 387
Wright, D. C., jr 213

INDEX TO TESTIMONY.

Page.

Allen, Charles:
In the mob:
T. E. Matthews 199
Andre, A. F.:
Troubles of:
Andre 478
Bailey, J. W.:
In the mob:
Burnett 29
Captain of mob:
H. L. Bufkin 204
Speech of:
F. M. Sessions 366
Barlow, H. H.:
Character of:
Barlow 241
Barksdale, Ethelbert:
Inflammatory articles of:
Burnett 622
Speeches of:
Bondurant 99
Williamson 131
W. G. Millsaps 220
Parker 223
Mitchell 266
King 347
Burch 399
Barksdale 642
Bell, D. D:
Whipped and tickets taken away:
Bell 66
Bufkin, F. M.:
Barksdale's speech concerning:
Bondurant 99
Parker 223
Barksdale 644
Threats of killing:
H. L. Bufkin 204
J. E. Matthews 237
Burnett, A. W. Interview with: (*See* National Republican.)
Appealed to United States attorney for protection:
Burnett 28
Cases of wiped off the docket:
Burnett 42
Wharton 441
Character of:
Mims 274
Norman 302
Cook 329, 339
N. B. Smith 342
King 347
Hull 370
Bridewell 382
Burch 400
Wharton 442
Calhoun 471, 474
Dodds 503
Chiles 516
Bingham 593
Hogg 619
L. H. Matthews 638
Connection of, with case of J. J. Burnett:
Calhoun 471
Chiles 516
Burnett 628
Difficulty in obtaining counsel for:
Meredith Matthews 57

Page.
Burnett, A. W.—Continued.
Habit of going armed:
Burnett 636
Object of in visiting Washington:
Burnett 52, 655
Politics of:
Dodds 509
Sexton 586
Practice at the bar of:
Wharton 441, 449
Dodds 503
E. W. Brown 535, 538
Sexton 586
Burnett 626
Shooting of:
Burnett 26
F. M. Bufkin 264
Warned not to electioneer:
Burnett 40
Warned not to return to Hazlehurst:
D. C. Wright 174
Daniels 358
Dodds 507
Camp, Moses:
In the mob:
L. H. Matthews 8
Carpenter's Station:
Election at:
Price 550
Centennial:
Election at:
J. M. Matthews 114
Chiles, L. F.:
Charged with stealing a ballot-box:
Burnett 629
Colored people:
Character of:
Sexton 582
Desire of, for education:
Bingham 591
In the woods before election:
Salina Wallis 71
Fortner 78
Gilmore 86
Jack Thompson 88
Oliver 93
Edwards 147
Shields 149
Jordan 154
J. B. Smith 155
Gohaken 157
J. B. Allen 180
H. F. Bufkin 184
Goza 187
Dunbar 201
De Mar 250
Catchings 356
Colored voters:
Feeling among:
Sinclair 153
Johnson 311
Generally Republican:
Jones 127
J. H. Thompson 326
Number of:
L. H. Matthews 2
E. W. Brown 536
Number of Democrats among:
L. H. Matthews 15
Shields 149

Page.
Colored voters—Continued.
Number of Democrats among—Continued.
Mims 273
Johnson 309
Robinson 311
Burch 397
Price 550
Congressmen of Mississippi:
Desire of not to have outrages saddled on Copiah:
Dodds 506
Conn, H. C.:
Chosen to represent Copiah County before committee:
Dodds 505
Convicts:
Right of, to vote:
Gwin 561
Cook, W. W.:
Suit of county against:
Burnett 48, 626
Cook 330
J. F. Sessions 595
McNair 596
Cooper, T. E.:
Letter of to J. P. Matthews:
Cooper 455
Copiah County:
Census of 18
Character of people of:
Williamson 144
Sinclair 152
Lomax 229
Robertson 252
Mitchell 268
Birdsong 280
W. Oliver 291, 293
Norman 303, 305, 307
J. H. Thompson 318
Cook 330
Burch 398
U. Millsaps 423
Cooper 453
Gwin 466
Calhoun 470
Andre 477
Dodds 489
Wilkinson 523
Hargraves 565
Sexton 578
Bingham 592
Barksdale 644
Finances of:
Price 532
Norman 544
Burnett 631, 633
Lawyers in:
Gowin 611
Schools in:
Burch 398, 402
Norman 549
Bingham 591
Strength of parties in:
Bridewell 381
U. Millsaps 433
Crump, Daniel:
Burning of house of:
Williamson 134
Crump 360
Cause of:
Williamson 139

Page.

Crump, Daniel—Continued.
Cause of—Continued.
Crump 363
Sexton 577
Crystal Springs:
Election at:
Wilkinson 524
Dameron, J. T.:
Character of:
Moore 515
Davis, Frank:
In the mob:
Burnett 29
Democrats:
Colored, intimidated:
Spence 522
Dodds, G. S.:
Representing Copiah County before committee:
Dodds 505
Characterization by, of Matthews's murder:
Burnett 41
Speech of, at Green's store:
Stanley 482
Dodds 485, 499
Connection of, with resolutions:
Dodds 488
East, Joel:
In the mob:
Burnet 29
Election:
At Carpenter's Station:
Price 550
At Centennial:
J. M. Matthews 114
At Crystal Springs:
Wilkinson 524
At Ferguson's:
Sinclair 151
At Green's store:
Stanley 481
Spence 521
At Hazlehurst:
Hamilton 111
D. C. Wright 172, 175
Hogg 618
At Heath's store:
Jones 123, 126
Ford 170
Nelson 534
B. F. Conn 600
At Martinsville:
D. C. Wright, jr 214, 215
At Rockport:
S. C. Matthews 104
At Spencer's Mill:
Bondurant 100
H. L. Bufkin 204
J. E. Matthews 235
Barlow 243
F. M. Bufkin 260
Sexton 588
At Tailholt:
Edwards 147
Shields 149
Jordan 154
Gohaken 159
W. L. Allen 160
H. F. Bufkin 176
J. B. Allen 180

Page.
Election—Continued.
At Tailholt—Continued.
W. W. Bufkin 184
Goza 185
Dunbar 201
Barlow 239
Hogg 390
Character of, in 1875:
Bridewell 386
Cooper 456
H. C. Conn 598
Character of, in 1881:
Gowin 564
Character of, in 1882:
H. C. Conn 597
Character of, in 1883:
Wilkinson 526
Mortimer 541
Meade 553
How to be carried by Democrats:
Hogg 616
Federal officers:
Interference by:
H. R. Ware 194
Ferguson's:
Election at:
Sinclair 151
Fore, John:
Arrested for arson:
J. M. Matthews 119
Fore 608
Troubles of, with the Matthewses:
Fore 608
Fortner, Handy:
Whipping of:
Fortner 77
Pollard 80
West 82
Reason of whipping:
Fortner 79, 80
Sexton 578, 583
Before grand jury:
Beacham 511
Fusion:
In Hinds County:
Lewis 520
Gilmore, Isham:
Visited by mob:
Gilmore 84
Gowin, W. W.:
Acts of, as commissioner of elections:
Gowin 563
Grand jury:
Action of:
Earnes 294
Beacham 511
Character of:
Wharton 436, 443
How made up:
Burnett 631
Members of:
Beacham 513
Secrets of:
Beacham 513
R. H. Thompson 559
Green's store:
Election at:
Stanley 481
Spence 521

Page.

Hargraves, Sheriff T. J.:
An organizer of the mob:
W. P. Ware ... 209
Asks J. P. Matthews to arrest mob:
L. H. Matthews ... 10
Burnett ... 50
Hargraves ... 569
Character of:
Williamson ... 141
W. H. Brown ... 159
Mitchell ... 268
Norman ... 307
Cook ... 328
Dodds ... 486
R. H. Thompson ... 559
Efforts of, to control mob:
W. H. Brown ... 158
Cook ... 328
Dodds ... 487
Hargraves ... 565
Intrusts mob with State arms:
Burnett ... 36
J. S. Ware ... 357
Proceedings of, to arrest mob:
Williamson ... 132
J. E. Matthews ... 234
Barlow ... 240
Puts warrants into hands of mob to serve:
Burnett ... 28
Warned of plan to kill J. P. Matthews:
W. P. Ware ... 209
Hayes, Frank:
Shooting of:
J. B. Allen ... 179
Hayes ... 344
Mrs. Hayes ... 346
Hartley, Henry:
In the mob:
W. W. Bufkin ... 184
Hart, Charles:
In the mob:
Burnett ... 29
Shot A. W. Burnett:
Burnett ... 27, 48
Hazlehurst bar, attorney of:
Williamson ... 133, 139
Case of, ignored by grand jury:
Williamson ... 39
No trial of:
Williamson ... 134
Hazlehurst:
Aldermen of:
W. P. Ware ... 210
Gwin ... 467
Election at:
Hamilton ... 111
D. C. Wright ... 172, 175
Hogg ... 618
Heath's Store:
Election at:
Jones ... 123, 126
Ford ... 170
Nelson ... 534
B. F. Conn ... 600
Higden, Marion:
In the mob:
Bondurant ... 98
Higden, William:
In the mob:
L. H. Matthews ... 8

Page.
Hind's County:
Election in:
H. R. Ware 192
Lewis 520
Hogg, H. H.:
Indictments against:
Hogg 619
Independents:
Candidates of:
Cook 338
U. Millsaps 433
Meade 554
Sexton 580
B. F. Conn 600
Millsaps 427
Canvass abandoned by:
Burch 405
Rowan 462
Increase of:
Dunbar 202
F. M. Bufkin 257, 261
Bridewell 382
Dodds 510
Sexton 579
Hogg 618
Management of county affairs by:
Wilkinson 525
Meetings of:
L. H. Matthews 2
C. Oliver 90
Middleton 406
Number of white:
Burnett 46
Bridewell 385
Speeches, character of:
Burnett 47
Enochs 394
Strength of, Democratic estimate:
Hogg 618
Jones, J. B.:
Altercation with G. B. Nelson:
Jones 129
Nelson 533
Law:
Power of, in Mississippi:
Sexton 584
Lemore, John:
In the mob:
L. H. Matthews 8
Low, John:
No wish by, to kill J. P. Matthews:
S. C. Matthews 104
Lowry, Governor:
Visited by J. P. Matthews:
H. R. Ware 192
Lynching:
In one case not resorted to:
Wilkinson 525
MacCree, Marion:
In the mob:
Burnett 29
Maginnis, J. M.:
In the mob:
Allen 162
Madison County:
Election in:
H. R. Ware, (*see* Appendix) 192, 195

Page.

Majority:
The right of, to rule:
Dodds ... 496
Wilkinson ... 528
Meade ... 554
Sexton ... 583
Martinsville:
Election at:
D. C. Wright, jr ... 214, 215
Matthews' family:
Character of:
Fore ... 604
Hogg ... 617
Standing of:
Calhoun ... 473
Matthews, J. M.:
Contractor for convicts:
J. M. Matthews ... 117, 122
Inspector in 1875:
J. M. Matthews ... 118
Altercation with Frank Thompson:
J. M. Matthews ... 120
Altercation with E. B. Wheeler:
J. M. Matthews ... 120
Matthews, J. P.:
Asks for protection:
Gowin ... 613
A Union man before the war:
Jones ... 128
Accounts of, as sheriff:
Norman ... 300, 304
Bridewell ... 384
D. C. Wright ... 387
Cooper ... 450, 455
Adams ... 468
Arms in the house of:
Fore ... 603
Burnett ... 630
L. H. Matthews ... 638
Character of:
L. H. Matthews ... 4, 9
Meredith Matthews ... 25
Burnett ... 43
Mary Matthews ... 63
Jessie Matthews ... 65
Bondurant ... 101
S. C. Matthews ... 107
J. M. Matthews ... 114
Jones ... 127
Williamson ... 136
Pitts ... 169
Ramsay ... 183
Goza ... 187
T. E. Matthews ... 198
W. G. Millsaps ... 221
Mims ... 273
Birdsong ... 285
J. H. Thompson ... 316
Cook ... 327, 333
Rials ... 341
Bridewell ... 383
U. Millsaps ... 423
Cooper ... 451, 455
Calhoun ... 471
Dodds ... 490
E. W. Brown ... 536
Mortimer ... 541
R. H. Thompson ... 559
Fore ... 603
Hogg ... 617

Page.
Matthews, J. P.—Continued.
Connection of, with Johnson—Jones fight:
Lewis 519
Desire of, to have his murder avenged:
Wharton 439
Cooper 452, 454
Gwin 466
House of, guarded from mob:
Dodds 498
Letter from, on part in canvass:
Hull 374
In politics:
L. H. Matthews 8
Meredith Matthews 25
J. H. Thompson 316, 319
Cook 327, 334
Bridewell 384
U. Millsap 425, 426, 429
Cooper 455
Rowan 459
Dodds 490
Price 530
Gowin 561
Intention of, to vote unless killed:
Burnett 31
Mrs. Matthews 59
Mary Matthews 62
Interview with Governor Lowry:
H. R. Ware 192
Interview with Judge Wharton:
Wharton 439
In the canvass:
L. H. Matthews 8
Burnett 43
Jones 128
Goza 187
H. R. Ware 189
T. E. Matthews 198
Mims 275
Hull 374
Copiahian 377
Middleton 408, 412
U. Millsaps 426
Murder of, cause of:
Mrs. Matthews 60
Pitts 169
Dameron 212
J. H. Thompson 322
Described:
Hamilton 108
Coxwell 162
Bangston 247
Effect of, on election at Crystal Springs:
Burnett 45
Wilkinson 524
At Hazlehurst:
L. H. Matthews 9
W. L. Allen 159
D. C. Wright 172
W. G. Millsaps 222
At Spencer's Mills:
Bondurant 100
At Tailholt:
W. L. Allen 160
Goza 188
Dunbar 202
Coroner's verdict on:
Robertson 251

Page.

Matthews, J. P.—Continued.
Murder of, cause of—Continued.
Planned:
Burnett 39
Ramsey 182
W. W. Burkin 184
W. P. Ware 207
Gilmore 216
Tillman 246
Hurd 350
Woods 543
Sexton 614
Conn 615
Sentiment concerning:
Coxwell 166
W. P. Ware 208
Lomax 228, 232
Tillman 245
Robertson 252
Mitchell 271
Hurd 351
G. E. Matthews 393
Burch 406
Middleton 419
U. Millsaps 434
Cooper 457
Calhoun 474
Wilkinson 524
Barksdale 648
Ordered not to vote:
L. H. Matthews 11
Property of:
Mrs. Matthews 58
Bondurant 101
Jones 127
Williamson 136
Ramsey 183
Relations of, with Wheeler:
L. H. Matthews 5
Meredith Matthews 25
Mrs. Matthews 60
Burnett 43
Mary Matthews 62
Pitts 168
Speculator in county warrants:
Norman 548
L. H. Matthews 639
Trouble of, with Judge Mayes:
Woods 544
Frank Thompson:
J. H. Thompson 317
J. P. Thompson:
S. C. Matthews 106
Matthews, T. E.:
Indicted for assault:
R. H. Thompson 560
Gowin 563
Resolutions served on:
Burnett 632
Store of, attacked by mob:
Bondurant 95
T. E. Matthews 197
Mayes, John B.:
In the mob:
L. H. Matthews 8
Meade, J. L.:
Guarantees Matthews's protection:
Williamson 139
Meade 552

Page.

Meade, J. L.—Continued.
In the mob:
L. H. Matthews 8
Plan of, to send Matthews after the mob:
L. H. Matthews 11
Meredith Matthews 20
Presides at meeting after Matthews's murder:
Meade 558
Speech of, at Green's store:
Dodds 500
Middleton, J. B:
In the mob:
Burnett 29
Miller, R. N:
Predicted murder of J. P. Matthews:
Burnett 39
Action of, in Crump case:
Williamson 134
Millsaps, William:
In the mob:
Burnett 632
Mob:
Action of, in county:
Burnett 32
Thomas Wallis 73
Tim Wallis 76
Jack Thompson 87
Bondurant 97
Jones 125
Williamson 134
Edwards 145
Shields 147
Jordan 153
J. B. Smith 155
Gohaken 156
W. L. Allen 160
D. C. Wright 174
H. F. Burkin 176
J. B. Allen 179
W. W. Burkin 183
Goza 185
T. E. Matthews 196
Dunbar 200
H. L. Bufkin 205
W. P. Ware 207
Gilmore 215
J. E. Matthews 233
Barlow 238, 240
DeMar 249
F. M. Bufkin 257
Hurd 349
Catchings 356
Sandiford 359
Sol. Smith 359
Crump 360
Goff 389
Dodds 491
Norman 549
Character of:
Lomax 230
Robertson 254
Mitchell 271
J. H. Thompson 319, 323
Cook 337
U. Millsaps 430
Meade 556, 558
Hargraves 574
Sexton 580
Barksdale 647

Page.

Mob—Continued.
Efforts of sheriff to arrest:
Hargraves ... 565
Feeling toward, by Democrats:
Williamson ... 135
J. H. Thompson ... 321
Cook ... 338
Middleton ... 416
Hargraves ... 571
In Hazlehurst day before election:
L. H. Matthews ... 3
Burnett ... 35
Mrs. Matthews ... 59
Miss Mary Matthews ... 61
Bondurant ... 98
S. C. Matthews ... 103
Williamson ... 131
D. C. Wright ... 173
W. G. Millsaps ... 219
Bangston ... 246
Cook ... 336
G. E. Matthews ... 391
Enochs ... 395
Dodds ... 486, 497
Meade ... 552
Hogg ... 615
Of election:
J. M. Matthews ... 113
G. E. Matthews ... 391
After election:
D. C. Wright, jr ... 214
J. S. Ware ... 356
Why not tried:
Williamson ... 137, 143
Morrison, Reuben:
In the mob:
Burnett ... 29
Myers, secretary of state:
Knew of J. P. Matthews's murder beforehand:
Meredith Matthews ... 21
National Republican:
Burnett's interview in ... 622
Accuracy of:
Birdsong ... 278, 281
Rials ... 344
King ... 348
Burch ... 400
Dodds ... 503, 507
Burnett ... 621
Negro uprising:
Rumors of:
Jones ... 131
Coxwell ... 165, 167
Pitts ... 170
J. B. Allen ... 180
Goza ... 188
W. G. Millsaps ... 221
Cooper ... 458
Dodds ... 503
Meade ... 555
Nelson, G. B.:
Altercation with J. B. Jones:
Jones ... 129
Nelson ... 533
Newspaper sentiments:
Mitchell ... 269
Hull ... 369, 371, 386
Dodds ... 501

Page.

Lawton, John:
In the mob:
W. L. Allen 162
Ormand:
Driven from county:
Bondurant 101
F. M. Bufkin 262
Sexton 587
Decelle 602
Outrages:
After election:
Bonderant 102
J. M. Matthews 115–119
Crump 362
Cause of:
Mortimer 540
Sexton 579
Effect of on colored voters:
L. H. Matthews 15
Bell 67
West 84
Bondurant 101
J. M. Matthews 114
Jones 125
Sinclair 151
H. F. Bufkin 178
J. B. Allen 180
W. W. Bufkin 184
Goza 187
T. E. Matthews 198
Dunbar 203
Barlow 239
F. M. Bufkin 259
Goff 390
Outside of Copiah:
H. R. Ware 192
Pitts, A. B.:
Interceded with mob:
Burnet 30
Wheeler's statement to of why he killed Matthews:
Pitts 169
Correction by 610
Procession: (*See* mob.)
Property:
Value of in Copiah:
Sinclair 151
Gohaken 158
J. B. Allen 181
Protection:
Appeal to district attorney for:
Burnett 28
H. R. Ware 190
Purser, Joseph:
In the mob:
L. H. Matthews 8
Races:
Relations of, politically:
Cook 334
U. Millsaps 429, 433
Calhoun 475
Dodds 495
Spence 522
Wilkinson 527
Sexton 579
Registration:
Manner of:
E. W. Brown 537
Republicans of Copiah:
Character of:
Andre 479

Page.
Resolutions adopted after J. P. Matthews's death 23
Attempt to condemn:
J. M. Matthews 116, 121
Dodds 493
Sexton 584
Cause of:
Mitchell 272
Birdsong 278, 280
F. M. Sessions 368
Sexton 578, 589
Barksdale 649
How adopted:
Birdsong 277, 279
J. H. Thompson 318
F. M. Sessions 364
How regarded:
Birdsong 281
Norman 304
J. H. Thompson 323
Middleton 419
Dodds 489, 494
Wilkinson 527
Sexton 579–581
Barksdale 649
Resolutions:
Served on T. E. Matthews:
Burnett 632
Warning J. P. Matthews not to vote:
L. H. Matthews 11
Rockport:
Election at:
S. C. Matthews 104
Sexton, J. S.:
Attempt of, to suppress resolution:
J. M. Matthews 121
Chosen to represent Copiah County before the committee:
Dodds 505
Shelton, John:
In the mob:
Norman 306
Spencer, Emmett:
In the mob:
Burnett 29
Spencer, Henry:
In the mob:
Cook 336
Spencer's Mills:
Election at:
Bondurant 100
H. L. Bufkin 204
J. E. Matthews 235
Barlow 243
F. M. Bufkin 260
Sexton 588
Starnes, Moses:
In the mob:
W. L. Allen 162
Supervisors:
Board of influenced by J. P. Matthews:
J. H. Thompson 316
Cook 327
Price 530
Hogg 617
Tailholt:
Election at:
Edwards 147
Shields 149
Jordan 154
Gohaken 157

Page.

Tailholt—Continued.
Election at—Continued.
W. L. Allen 160
H. F. Bufkin 176
J. B. Allen 180
W. W. Bufkin 184
Goza 185
Dunbar 201
Barlow 239
Goff 390
Thompson, J. F.:
In the mob:
Burnett 29
Altercation of, with J. M. Matthews:
J. M. Matthews 118
Wallis, Josh:
Indictment of:
McNair 597
Wallis, Thomas:
Murder of:
Mrs. Wallis 70
Joseph Wallis 72
Tim Wallis 75
Not political:
J. H. Thompson 317
Middleton 409
Sexton 577
Grand jury on:
Beacham 511
West, Matt:
In the mob:
Lomax 230
Wharton, T. J.:
Address to grand jury:
Wharton 441, 443
Conversation of, with Sexton:
Jack Thompson 88
Wharton 440
Interview of with J. P. Matthews:
Wharton 439
Predicts trouble in Copiah:
Meredith Matthews 21
Wheeler, E. B.:
Action of, at polls after shooting Matthews:
L. H. Matthews 6
Altercation with J. M. Matthews:
J. M. Matthews 120
Arrest and bailing of:
Hargraves 572
Candidate for mayor:
Dodds 485
Hogg 620
Character of:
Norman 308
J. H. Thompson 324
Burch 406
Elected city marshal:
W. P. Ware 210
Burch 401
Gwin 467
Dodds 485
Elected delegate by Prohibitionists:
Lomax 229, 231
In command of the mob:
Burnett 31
Bondurant 96
H. L Bufkin 177
Murder of Matthews by. (*See* Matthews, J. P.)

Page.
Wheeler, E. B.—Continued.
Reason of, for killing Matthews:
Pitts 169
Rejected as inspector:
Gowin 611
Speech of, to the mob:
Dunbar 201
F. M. Bufkin 259
Goff 389
Under bail:
Williamson 144
Williamson, mayor:
Action of, to suppress mob:
Williamson 132
Authority of:
Williamson 136, 141
Womack, W. W.:
In the mob:
Cook 336
Wood, J. F.:
In the mob:
Burnett 29
Woods, D. C.:
Predicts death of J. P. Matthews:
Ramsay 182
Denied:
Woods 543
Yazoo:
Character of the people of:
Calhoun 477
Barksdale 651

INDEX TO APPENDIX.

Address to Republicans of Madison County 654
authorship of, Toles 660
Bilbo 662
Bilbo, A. H., statement of 661
Baughn, J. W., statement of 658
Dickinson, Arnold, statement of 661
Downs, J. W., statement of 658
Election in Madison County 654
at Canton 657
Ward 659
Sneed 661
Dickinson 661
Bilbo 662
Madisonville 657
Sharpsburg 657
Fusion in Madison County, Garrett 650
agreement for 654
Garrett, B. F., statement of 651
truth of, Bilbo 662
character of, Ward 659
Toles 659
McBride 660
not a representative Republican, Toles 659
Dickinson 661
Hull, J. T., statement of 662
Independents, address circulated by 655
character of candidates of 657
ticket of, supported by Republicans 654
withdrawn 656
McBride, J. G., statement of 660
Madison County 654, 657, 658
campaign and election in 654, 656, 657, 658, 659

Page.
Outrages in Madison County 656
Ward 659
Passmore, B. F., advice of, to withdraw Independent ticket 656
Sneed, A. J., statement of 660
Toles, S. H. H., statement of 659
Ware, H. R., candidate for district attorney, Hull 662
canvass of,
Garrett 651
Ware 653
statement of 652
Ward, T S., statement of 658
Weathersby, T. H., statement of 657